

BOROUGH OF MEDFORD LAKES, NEW JERSEY

REGULAR MEETING (7:00pm)

March 14, 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, Councilman Jeffrey Fitzpatrick and Councilman Robert D. Hanold, Sr. answered in attendance. Also present were Manager Horner – Keizer, Clerk Mark J. McIntosh and Solicitor Peter C. Lange, Jr.

PUBLIC COMMENT #1

Mayor Lackey opened the meeting to public comment.

Jim Walker of Chicagami Trail expressed concern with traffic conditions at the intersection of Beach Drive and Chicagami Trail that he believes are caused by the Borough's fence and two-directional traffic pattern on Beach Drive. He further expressed concern with closure of Beach #5 every year due to high fecal matter counts which he believes is caused by roadway storm water runoff and has a detrimental effect on the environment and social life of the beach.

Mayor Lackey stated that he would direct the Manager to have both the Department of Public Works and the Police Department investigate the intersection concerns. He further stated that the concerns involving Beach #5 would require an engineer and would discuss this issue with the Public Works Sub-Committee.

Robert McGowan of Cochise Circle asked if Council had been notified of the status on the Lenape Regional High School District Budget.

Council stated they had not.

Joe Aromando of Shingowack Trail asked Council if NJ Municipalities qualify for electric savings through third-party suppliers. He asked if there was any update from the local school district regarding their installation of solar panels and he asked if the Public Works Department can get aggregate placed along the shoulders of Shingowack Trail where the new asphalt was placed.

Manager Horner – Keizer stated that all Municipalities are awaiting a decision by the NJ Dept. of Community Affairs regarding guidelines.

Mayor Lackey and Councilman Hanold explained that the school district entered into a Purchase Power Agreement and they do not own the system and explained that the school gets electric at a fixed rate.

Mayor Lackey opened the meeting to discussion on the proposed Farmer's Market.

Deputy Mayor Cranston recused himself from the meeting to participate in the discussion as a business owner.

Leah Bruder of Navajo Trail (Market Rep.) explained the market proposal provided to Council including changing the day from Saturday to Friday, better synergy with the business owners, and better availability from volunteers on Friday nights.

Bree Johnston of John's Barber Shop expressed concern with the failure to follow agreements from last year's market with tent placement and customer assistance. She further explained that her business is open until 5:00pm with some customers not leaving until 6:00pm to 7:00pm. She stated that she is not in favor of either Friday or Saturday and stated that running her business is not a hobby but how she provides for her family.

Amy Beyer of Tuckerton Road (Market Rep.) stated that the Market Operators did comply with agreements made to business owners but unfortunately did have one isolated incident involving a customer at John's Barbershop needing wheelchair assistance. She also stated that the market organizers' looked into Saturday evenings and Sunday mornings but determined that both would bring less foot traffic.

Heather Caldwell of Tontonava Trail (Market Rep.) stated that she had spoken with Jim Riddle of Medford School of Music and believes that they had worked out his concerns.

Bob Geyose of John's Barbershop related the wheelchair incident from last year and stated that he sometimes stays late Friday nights for his customers.

Shevon Doyle – Bell of Seneca Trail and JR's Corner Store expressed her love for the market and her own polling of residents found support for the market switching to Friday nights. She further stated that she would help promote the barbershop.

Joe Aromando of Shingowack Trail stated that Council should have direct communications with the business owners, the desires of the business owners should carry greater weight since they pay taxes and the Friday night option brings a whole new dynamic and maybe a switch to Sundays would be beneficial.

Steve Bruder of Navajo Trail (Market Rep.) stated that the Colony gave approval to utilize Beach #1 parking lot, he had spoken to Joe Sorvino, Manager of PJ Whelihan's and is disappointed that some of the businesses are still unhappy.

Tom Cranston of Chippewa Trail and Scaffidi & Cranston CPA's expressed his respect for the Market and its volunteer staff but expressed concern with the market switching to Friday nights which may conflict with his clients visiting or dropping off materials. He had spoken with Jim Riddle of Medford School of Music who felt pressured into agreeing to the market's wishes. He further recommended using the Municipal Cabin lot.

Mayor Lackey stated that a vote wouldn't be discussed tonight given the amount of information discussed tonight.

Councilman Hanold expressed concern with traffic issues and would support the market's request if ALL of the businesses were on-board. He stated that many markets are not on streets but on ball fields, parking lots, etc.

Shevon Doyle – Bell of Seneca Trail and JR's Corner Store stated that in Florida they would cordon off a street to have their markets and it would be a big family event. She also recommended moving the market up from the barbershop closer to Stokes Road.

Steve Bruder of Navajo Trail (Market Rep.) stated the Market Committee looked at all options and found Friday to be best. He asked for Council to make a decision this night.

Bree Johnston of John's Barbershop stated she too is concerned with traffic issues caused by the Friday night road closures. She had incidents with getting customers cars out during the Music Store events.

Manager Horner – Keizer stated that when the road is closed traffic is not allowed in or out. She would discuss this with the Police Department.

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

MINUTES

Councilman Miller motioned for approval/adoption of the February 22, 2012 regular session meeting minutes, seconded by Councilman Hanold.

Mayor Lackey asked Deputy Mayor Cranston to see that the issue involving demolition or tear-downs of properties within the Borough are a discussion item on the Planning Boards Agenda.

Deputy Mayor Cranston stated that the Planning Board had discussed this in an attempt to clarify the process involved with the property on Chippewa Trail.

Council, Borough Manager and Solicitor discussed the options available to better manage this process.

Vote to approve/adopt

Yeas –Lackey, Cranston, Miller, Fitzpatrick, Hanold

Nays – None

Minutes approved/adopted

Councilman Hanold motioned for approval/adoption of the February 17, 2012 emergency session meeting minutes, seconded by Councilman Miller.

Vote to approve/adopt

Yeas –Lackey, Cranston, Miller, Fitzpatrick, Hanold

Nays – None

Minutes approved/adopted

Councilman Miller motioned for approval/adoption of the February 17, 2012 executive session meeting minutes, seconded by Councilman Hanold.

Vote to approve/adopt

Yeas –Lackey, Cranston, Miller, Fitzpatrick, Hanold

Nays – None

Minutes approved/adopted

RESOLUTIONS

Councilman Hanold introduced Resolution Number 49-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 49-12

A RESOLUTION AUTHORIZING A STATE CONTRACT PURCHASE OF MONITORING EQUIPMENT FOR THE WASTEWATER TREATMENT PLANT

WHEREAS, the Medford Lakes Wastewater Treatment Plant is in need of equipment to monitor continuously Dissolved Oxygen and Turbidity; and

WHEREAS, the Medford Lakes Wastewater Treatment Plant is in need of equipment to monitor continuously Clarifiers Sludge Depth; and

WHEREAS, the Wastewater Treatment Plant Licensed Operator has identified the requirements for this equipment and hereby recommends the purchase identified as State Contract #A68502; and

WHEREAS, the award of this contract is contingent upon a certificate of availability of funds from the Borough Finance Officer.

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, as follows:

1. The **BOROUGH OF MEDFORD LAKES** is hereby authorized to enter into a contract with **Hach Company, 2207 Collections Center Drive, Chicago, IL 60693** for the purchase of Wastewater Monitoring Equipment NTE \$23,618.38, as identified under State Contract #A68502 and contingent upon certification of funds.

Mayor Lackey explained the sole source process and Councilman Hanold explained the benefits of the new monitors.

Joe Aromando of Shingowack Trail asked if the Borough had solicited information from other municipalities using the same monitors and if the monitors were the latest technology.

Councilman Hanold stated that the system was common place within the industry and met the NJ State standards to be allowed on the State Contracting system.

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 Fitzpatrick introduced Resolution Number 50-12, seconded by Councilman Hanold.

RESOLUTION NUMBER 50-12

**A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS
IN SUPPORT OF A BLOCK PARTY FOR THE MEDFORD SCHOOL OF MUSIC**

WHEREAS, on April 27th, May 18th, June 15th, July 20th, August 17th, September 21st and October 19th, 2012, the Medford School of Music would like to hold a block party; and

WHEREAS, said business would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, as follows:

1. The Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e.
2. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Trading Post Way between Stokes Road and the entrance of PJ Whelihan’s

3. The aforementioned street closing shall be between 6:00pm and 8:00pm on the dates listed above.
 4. Block party contact person #1 is Medford School of Music, 3B Trading Post Way, (609) 744-0051, and contact person #2 is Jim and Michelle Riddle, (609) 922-5542, Pemberton, NJ, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades.
 5. The applicant has certified to the Clerk that all of the neighboring businesses on Trading Post Way have been notified of this application.
 6. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.
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Mayor Lackey explained the resolution and invited comment.

Bree Johnston of John’s Barbershop expressed her support for the resolution.

Robert Burton of Manhasset Trail stated that this request needs the same approach as that of the Farmer’s Market and a querying of other affected businesses was needed.

Joe Aromando of Shingowack Trail stated that the decision is solely Councils and each application for a road closure should be weighed individually and the process should be similar to that of a Planning Board application.

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

Councilman Hanold introduced Resolution Number 51-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 51-12

**A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO DISPOSE OF SURPLUS PROPERTY
PURSUANT TO N.J.S.A. 40A:11-36**

WHEREAS, the Borough of Medford Lakes is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, as follows:

- (1) The online sale of the surplus property shall be conducted through www.GovDeals.com pursuant to NJ State Contract in accordance with the terms and conditions of the NJ State Contract. The terms and conditions of the agreement entered into with www.GovDeals.com are available online at www.govdeals.com and also available from the Office of the Clerk of Medford Lakes.
- (2) The surplus property is as follows:

- Transmission Jack
- Case Tractor with Attachments
- Four (4) Snow Plows
- 2001 Leaf Machine – Parts Only
- Three (3) Conference Type Tables
- Mobile Chalkboard
- Concrete Storm Box Inlet
- Water Tank
- Four (4) AC/Heater Units
- Two (2) Office Desks
- Pallet of Four (4”) Fire Supply Line

The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

The Borough of Medford Lakes reserves the right to accept or reject any bid submitted.

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			

Deputy Mayor Cranston introduced Resolution Number 52-12, seconded by Councilman Miller.

RESOLUTION NUMBER 52-12

A RESOLUTION INTRODUCING AND APPROVING THE 2012 MUNICIPAL BUDGET (FIRST READING)

WHEREAS, the Municipal Budget of the Borough of Medford Lakes, County of Burlington for the year 2012 is hereby introduced; and

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012; and

BE IT FURTHER RESOLVED, that said Budget be published in summary form in the Central Record in the issue of March 22, 2012; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Governing Body of the Borough of Medford lakes, County of Burlington, State of New Jersey:

1. Does hereby approve the following as the Budget for the Year 2012.
2. Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, on March 14, 2012.

3. A hearing on the Budget and Tax Resolution will be held at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ in Oaks Hall on April 25, 2012 at 7:00PM at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.
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Mayor Lackey stated that the 2012 Budget was a collaborative effort and maintains services expected by the residents.

Councilman Miller echoed the collaborative effort by all departments to have successfully maintained a fiscally responsible budget for the last two years and praised Deputy Mayor Cranston for using his knowledge to assist with the process.

Deputy Mayor Cranston thanked Councilman Miller and stated similar sentiments. He further thanked the administration committee and all the department heads for operating their departments efficiently and noted the many concessions made by the Borough's employee Unions especially health care.

Councilman Fitzpatrick commended the efforts of all employees, especially the Manager, the CFO and the Administrative Sub-Committee.

Councilman Hanold praised the efforts of everyone and thanked the Manager for helping Council to understand municipal financing. He stated that his goal was to bring Police and Public Works Department's up to better levels with personnel and equipment.

Manager Horner – Keizer thanked Council and stated that the budget process went well because of the wonderful work by the department heads and employees. All of them worked very hard.

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 53-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 53-12

A RESOLUTION AUTHORIZING A NEGOTIATED CONTRACT

WHEREAS, the Borough of Medford Lakes solicited bids on August 11, 2010 at 10:00am for the Design and Construction of a Twenty-Foot Extension on the Borough's Communication Tower and for lease of space on said extension; and

WHEREAS, the Borough of Medford Lakes received no bids; and

WHEREAS, the Borough of Medford Lakes re-bid the same project on October 20, 2010 and received one bid for the extension and only one bid for the lease; and

WHEREAS, the Bid for the extension was too high and the bid for the lease depended on the extension.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that the Borough of Medford Lakes has satisfied the requirements of N.J.S.A. 40A:11 – 5(3)(I)(ii)(iii) which allows the Governing Body, acting by two-thirds vote of its full membership enter into a negotiated contract.

Mayor Lackey asked for clarification on the wording of the resolution.

Both Solicitor Lange and Clerk McIntosh explained the intent of the resolution and the Clerk worded it as defined in the statute.

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 54-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 54-12

A RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE MISHE MOKWA DAM PEDESTRIAN BRIDGE REPLACEMENT PROJECT

WHEREAS, the Borough of Medford Lakes has a need to acquire a Special Project Engineer; 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, Environmental Resolutions Inc. has submitted a proposal and is identified as a qualified Special Project Engineer in accordance with Borough of Medford Lakes Resolution Number 13-12; and

WHEREAS, award of this contract is dependent upon certification of the availability of funds requirements per N.J.A.C. 5:30-5.4.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby awards a contract NTE \$15,750.00 to, Environmental Resolutions, Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, NJ 08054 - 3415 for Tasks 1 through 6 as identified in their proposal attached hereto; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute all documents related to the award of this contract.

Mayor Lackey explained the project and opened the meeting to comment.

Joe Aromando of Shingowack Trail asked if Council expected any unfortunate change orders.

Mayor Lackey explained that he and Councilman Hanold had interviewed the Engineering firm to vet out any questions.

REPORTS

Manager Horner – Keizer submitted a year-end report and commented on the status of the Ballinger Walkway project, the pending Stokes Road improvements and stated that the Ottawa Trail drainage project was complete.

Solicitor Lange stated that he had on-going communications with the County trying to expedite a permit for completion of the project.

Clerk McIntosh submitted a written report and stated that the final FEMA project worksheets were submitted and he's was preparing for the upcoming municipal election.

NEW BUSINESS

Councilman Fitzpatrick stated that the Public Safety Committee had conducted and interview of the only applicant for the position of EMS Chief and was happy to report that Jim Burke was recommended to the Manager for appointment. He stated that Jim Burke is a resident of the Borough, employed as a Paramedic with Virtua Health Systems, an EMS Instructor and was a Field Training Officer.

Councilman Hanold spoke about the advantages of the newly developed all volunteer EMS Department and the benefits that Jim Burke will bring to the new department.

BILL LIST (dated March 27, 2012 – Total Line Items 144 – Total List Amount = \$1,023,328.06)

Councilman Hanold motioned for approval of the bill list, seconded by Councilman Fitzpatrick.

VOTE TO APPROVE

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

PUBLIC COMMENT #2

Mayor Lackey opened the meeting for public comment.

Joe Aromando of Shingowack Trail asked Council to refer to the Planning Board Planner the issues regarding street closures for events. He also stated his concerns with the house recently built on lower Chippewa Trail and reminded Council to enjoy the good times but anticipate the bad times.

Bob McGowan of Cochise Circle commented on the budget and hoped all Council Candidates attend the Borough Meetings. He also recommended that Council demand a plan from applicants desiring to hold events in the Borough.

Hearing no further comment, Mayor Lackey closed public comment.

Councilman Miller motioned to adjourn the meeting, seconded by Councilman Fitzpatrick.

Vote to adjourn

Yeas – Lackey, Cranston, Miller, Fitzpatrick, Hanold

Nays – None

Meeting Adjourned