

BOROUGH OF MEDFORD LAKES, NEW JERSEY

SCHEDULED REGULAR MEETING (7:00pm)

April 28, 2016

A scheduled Regular Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, beginning at 7:00pm was held at Oaks Hall. Borough Clerk 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 and published in the Burlington County Times and also posted on the 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 J. McIntosh called roll. Mayor Robert J. Burton, Councilman Robert D. Hanold, Sr., and Councilwoman Kathryn Merkh answered in attendance. Deputy Mayor Gary A. Miller and Councilman Thomas J. Cranston were absent. Also present was Manager Julie Horner-Keizer and Solicitor Douglas Heinold, Esq.

PUBLIC COMMENT #1

Mayor Burton opened the meeting to public comment, hearing none he closed public comment.

MINUTES

Councilwoman Merkh motioned adoption of the April 14, 2016 Regular Session Minutes, seconded by Councilman Hanold

Vote to adopt

Yeas – Burton, Hanold, Merkh

Nays – None

Abstain – Miller, Cranston

Minutes Adopted

ORDINANCES

Councilman Hanold introduced Ordinance 633 on second reading with a public hearing, seconded by Deputy Mayor Miller

ORDINANCE NUMBER 633

AN ORDINANCE TO AMEND ORDINANCE NUMBER 603, AN ORDINANCE AMENDING ORDINANCE NUMBER 583, AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY SETTING A SCHEDULE OF FEES FOR THE UNIFORM CONSTRUCTION CODE AND REPEALING ALL OTHERS

WHEREAS, the Borough Council would like to amend Ordinance 603 to include a section for Mechanical Sub code Fees.

THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, and State of New Jersey, that Ordinance Number 603 is hereby amended as follows:

Addition of:

SECTION N - MECHANICAL SUBCODE FEES:

1. The fee for the installation or replacement of a gas or oil fired warm air furnace or electric heat pump shall be \$75.00.
2. The fee for the installation or replacement of a domestic hot water boiler, steam boiler or swimming pool heater shall be \$75.00.
3. The fees for the replacement or installation of a water heater shall be \$15.00 each.
4. The fee for installation or replacement of air conditioning equipment shall be \$15.00 each.
5. The installation of gas or oil piping shall be a flat fee of \$75.00.
6. The fee for a stand by generator shall be \$75.00.
7. The fee for the installation or replacement of a liquid propane gas cylinder and piping shall be \$75.00.
8. The fee for the installation or replacement of a residential heating oil storage tank shall be \$69.00 per tank.
9. Natural gas or LPG appliances connected to the gas system, including but not limited to, gas fireplaces, log lighters, gas fire pits, lights, outdoor cooking equipment shall be \$60.00.
10. The installation or replacement of ductwork shall be a flat fee of \$100.
11. The minimum fee for a mechanical inspection performed by the Mechanical Inspector shall in use groups R-3, R-4, R-5 shall be \$69.00

This ordinance shall take effect after publication and final passage, according to law.

Mayor Burton opened the meeting to a public hearing on the Ordinance.

Joe Aromando of Medford Lakes asked why the Ordinance was necessary.

Manager Horner-Keizer stated that it was recommended by the Construction Official and provided an example. She noted the savings to the residents by way of combined inspections for eligible projects by one inspector vs. two.

Mayor Burton closed the hearing and called for the vote.

VOTE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller		X	X			
Councilman Thomas J. Cranston			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilwoman Kathryn A. Merkh			X			

Councilman Cranston introduced Ordinance 634 on second reading with a public hearing, seconded by Councilwoman Merkh

ORDINANCE NUMBER 634

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2016

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Medford Lakes in the County of Burlington finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$103,189.77 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Medford Lakes shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$103,189.77, and that the CY 2016 municipal budget for the Borough of Medford Lakes be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Burton opened the meeting to a public hearing on the Ordinance.

Joe Aromando of Medford Lakes asked if this is a re-occurring Ordinance and what does it do.

Manager Horner-Keizer explained the allowable 3.5% CAP Bank, the two year process and its difference from the old CAP Ordinances.

Solicitor Heinold stated that it basically allows the municipality the ability to bank the increase in the event it is needed later.

Mayor Burton closed the hearing and called for the vote.

VOTE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
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Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller			X			
Councilman Thomas J. Cranston	X		X			
Councilman Robert D. Hanold, Sr.			X			
Councilwoman Kathryn A. Merkh		X	X			

RESOLUTIONS

Deputy Mayor Miller introduced Resolution Numbers 64-16, 65-16 and 66-16 as a consent agenda given that they all involve raffle licensing, seconded by Councilwoman Merkh

RESOLUTION NUMBER 64-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE MERCHANDISE RAFFLE) TO YMCA CAMP OCKANICKON, INC

WHEREAS, the YMCA CAMP OCKANICKON, INC. has qualified in the prescribed manner and submitted Raffle Application Number 16-14 to hold an On-Premise Merchandise Raffle on May 9, 2016 at the Medford Lakes Country Club; and

WHEREAS, Council has reviewed the findings and determinations and concur that the On-Premise Merchandise Raffle is to be conducted according to law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned On-Premise Merchandise Raffle be and is hereby granted to the YMCA CAMP OCKANICKON, INC.

RESOLUTION NUMBER 65-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE 50/50 RAFFLE) TO PTO FOLWELL SCHOOL, INC.

WHEREAS, the PTO FOLWELL SCHOOL, INC. has qualified in the prescribed manner and submitted Raffle Application Number 16-12 to hold an On-Premise 50/50 Raffle on May 21, 2016 at the Medford Lakes Country Club; and

WHEREAS, Council has reviewed the findings and determinations and concur that the On-Premise 50/50 Raffle is to be conducted according to law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned On-Premise 50/50 Raffle be and is hereby granted to the PTO FOLWELL SCHOOL, INC.

RESOLUTION NUMBER 66-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE MERCHANDISE RAFFLE) TO PTO FOLWELL SCHOOL, INC.

WHEREAS, the PTO FOLWELL SCHOOL, INC. has qualified in the prescribed manner and submitted Raffle Application Number 16-13 to hold an On-Premise Merchandise Raffle on May 21, 2016 at the Medford Lakes Country Club; and

WHEREAS, Council has reviewed the findings and determinations and concur that the On-Premise Merchandise Raffle is to be conducted according to law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned On-Premise Merchandise Raffle be and is hereby granted to the PTO FOLWELL SCHOOL, INC.

Mayor Burton called for the vote.

VOTE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller	X		X			
Councilman Thomas J. Cranston			X			
Councilman Robert D. Hanold, Sr.			X			
Councilwoman Kathryn A. Merkh		X	X			

Councilman Hanold introduced Resolution Number 67-16, seconded by Deputy Mayor Miller

RESOLUTION NUMBER 67-16

A RESOLUTION AUTHORIZING AN EMERGENCY PURCHASE PURSUANT TO N.J.S.A. 40A:11-6

WHEREAS, the Medford Lakes Wastewater Department has an emergent need to replace a #2 Fermentation Gear Drive; and

WHEREAS, the Wastewater Department Licensed Operator with concurrence of the Borough Manager have determined that immediate purchase and delivery of goods and services is required to meet an actual danger to the public health, safety, or welfare of the community; and

WHEREAS, it has been determined that Shafts & Sleeves Co., Inc. be awarded a contract as specified in their Quote #3554; and

WHEREAS, only the Governing Body is authorized to approve emergency purchases over the bid threshold; and

WHEREAS, Shafts & Sleeves Co., Inc. shall submit a NJ Business Registration, Statement of Ownership, Affirmative Action Compliance and Non-Collusion Affidavit; and

WHEREAS, award of this contract is dependent upon the Finance Officers 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, New Jersey that a contract be awarded to Shafts & Sleeves Co., Inc. for a #2 Fermentation Gear Drive for an amount NTE \$26,383.00 and as defined in the attached quote.

Mayor Burton called for the vote.

VOTE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller		X	X			
Councilman Thomas J. Cranston			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilwoman Kathryn A. Merkh			X			

REPORTS

Manager Horner – Keizer provided a written report and noted that Sherry had a healthy baby, the Borough was denied the 2016 Roadway Improvement Grant funding based on number of applicants and funding limitations, the Cochise Circle Pump Station has gone to public bid, the upcoming Stokes Road closure for repairs to Saipe Lake Dam, EIT funding, and the changes in employee health care through the Aetna Plan.

Clerk McIntosh submitted a written report and commented on the upcoming election preparation and the many Planning and Historic applications being processed.

SUBCOMMITTEE REPORTS

Councilman Hanold stated that he has been in contact with the County regarding the damaged Stokes Road guardrail and the permits and communications provided by the Borough Clerk.

BILL LIST (s)

**(Dated April 22, 2016 – Total Line Items 58 – Total List Amount = \$522,419.22
with additional payroll = \$58,249.05 plus 65,947.80 & Petty Cash = \$177.15)**

Deputy Mayor Miller motioned approval of the Bill List with petty cash add-on, seconded by Councilman Hanold

Mayor Burton called for the vote.

VOTE TO APPROVE BILLS

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller	X		X			
Councilman Thomas J. Cranston			X			
Councilman Robert D. Hanold, Sr.		X	X			
Councilwoman Kathryn A. Merkh			X			

COUNCIL COMMENT

Councilman Cranston noted that Camp Ockanickan in Medford Township is planning on fireworks again this July. He asked that Council provide the Manager with guidance related to the Borough's concerns

Manager Horner-Keizer stated that last year the Borough was not informed in advance and received numerous complaints related to the fire hazard, smoke hazard and noise issues.

Resident Kevin Ellicott stated that Medford should be inspecting the location and impact of the pyrotechnics.

Resident Bill Fields discussed the fireworks event held in Mt. Holly.

Council directed the Manager to make the appropriate inquiries to Medford Township and express the Borough's concerns.

PUBLIC COMMENT #2

Mayor Burton opened the meeting to public comment.

Kevin Ellicott of Medford Lakes expressed concern with the Tabernacle Road crossing at Beach #1 given its use by school kids and camp kids. He noted the crossing installed at the Medford Township library.

Manager Horner – Keizer stated she would look into available improvements.

Joe Aromando of Shingowack Trail thanked Councilman Hanold for his follow-up on the Stokes Road guardrail issue. He asked that additional signage be provided by the County alerting travelers of the pending Stokes Road closure. He commented on the need for repairs of the cobblestone at the Cochise Circle entrance and the loss of three laborers due to another trash truck breakdown and the reasoning behind privatizing this service.

Manager Horner – Keizer stated that Police Chief Dugan was working diligently with the County regarding the upcoming Stokes Road closure.

Deputy Mayor Miller noted that the Canoe Carnival Committee is working diligently on the upcoming 85th Canoe Carnival event. He that a souvenir ad book was being created and tee shirt sales were underway. He noted that he is working with Chief Dugan regarding security costs.

Councilman Hanold motioned to adjourn the Regular Meeting, seconded by Councilwoman Merkh

VOTE TO ADJOURN

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Robert J. Burton			X			
Deputy Mayor Gary A. Miller			X			
Councilman Thomas J. Cranston			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilwoman Kathryn A. Merkh		X	X			

Vote to adjourn

Yeas – Burton, Miller, Cranston, Hanold, Merkh

Nays – None

Meeting Adjourned