

**BOROUGH OF MEDFORD LAKES, NEW JERSEY**

**SCHEDULED REGULAR MEETING (7:00pm)**

**February 25, 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.

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**ROLL CALL**

Clerk McIntosh called roll. Mayor Robert J. Burton, Deputy Mayor Gary A. Miller, Councilman Thomas J. Cranston, Councilman Robert D. Hanold, Sr. and Councilwoman Kathryn Merkh answered in attendance. Also present was Solicitor Douglas Heinold, Esq.

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**PUBLIC COMMENT #1**

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

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**MINUTES**

*Deputy Mayor Miller motioned adoption of the February 11, 2016 Regular Session Minutes, seconded by Councilman Cranston.*

Vote to adopt

Yeas – Burton, Cranston, Hanold, Merkh

Nays – None

Abstain – Miller

Minutes Adopted

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**RESOLUTIONS**

*Deputy Mayor Miller introduced Resolution Number 38-16, seconded by Councilwoman Merkh.*

**RESOLUTION NUMBER 38-16**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE MERCHANDISE RAFFLE) TO MEDFORD YOUTH ATHLETIC ASSOCIATION**

**WHEREAS**, the MEDFORD YOUTH ATHLETIC ASSOCIATION has qualified in the prescribed manner and submitted Raffle Application Number 16-05 to hold an On-Premise Merchandise Raffle on April 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 MEDFORD YOUTH ATHLETIC ASSOCIATION.

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*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    |      |        |         |

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*Councilman Hanold introduced Resolution Number 39-16, seconded by Deputy Mayor Miller*

**RESOLUTION NUMBER 39-16**

**A RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT OFFICE/LAB PROJECT**

**WHEREAS**, the Borough of Medford Lakes has a need to acquire a Special Projects Architect; 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**, REGAN YOUNG ENGLAND BUTERA had submitted a proposal and is identified as a qualified Architect in accordance with Borough of Medford Lakes Resolution Number 131-15; and

**WHEREAS**, it has been determined that a Wetlands Delineation is required by the Pinelands Commission; and

**WHEREAS**, REGAN YOUNG ENGLAND BUTERA is able to supply these revisions; 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 \$4,000 to REGAN YOUNG ENGLAND BUTERA for revised drawings with Wetlands Delineation related to the Wastewater Treatment Plant Office/Lab Project and as defined in their proposal attached hereto and made part of.

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*Councilman Hanold stated that the costs associated with this project keep running up and recommended that the Resolution be tabled until another cost/benefit analysis is complete.*

*Councilman Hanold motioned to table Resolution Number 39-16, seconded by Deputy Mayor Miller.*

*Mayor Burton called for the vote.*

**VOTE TO TABLE**

|                                  | 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    |      |        |         |

*Deputy Mayor Miller introduced Resolution Number 40-16, seconded by Councilwoman Merkh.*

**RESOLUTION NUMBER 40-16**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE 50/50 CASH RAFFLE) TO MEDFORD YOUTH ATHLETIC ASSOCIATION**

**WHEREAS**, the MEDFORD YOUTH ATHLETIC ASSOCIATION has qualified in the prescribed manner and submitted Raffle Application Number 16-06 to hold an On-Premise 50/50 Cash Raffle on April 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 MEDFORD YOUTH ATHLETIC ASSOCIATION.

*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    |      |        |         |

**REPORTS**

*Manager Horner – Keizer provided a written report.*

*Clerk McIntosh submitted a written report.*

*Solicitor Heinold submitted a written report and stated that he circulated to the Code Enforcement Official a draft Ordinance covering property maintenance issues. He also asked that a contract to hire an expert witness for a NJ State Tax Appeal be added to the next month's meeting. An explanation of why the contract was needed is in his report along with a copy of the cost quotes.*

## SUBCOMMITTEE REPORTS

Councilman Hanold thanked the Department Heads for their very thorough monthly reports. He expressed concern with the cost increases associated with the WWTP building and noted that the benefits may not outweigh the costs. He is amazed that the cost per square feet for the small office building is now around \$400. He discussed the issues going on around Neeta Trail with leaves, brush and trash collection. He asked that the Manager obtain a survey of the area in question. He met with Congressman MacArthur and provided the Mayor with a form needed to be completed by the Borough authorizing the Congressman's Office to inquire about our FEMA issues. He expressed frustration with the Wastewater Cochise Circle Pump Station project delays. He said that our NJ Licensed Engineer has to have their work reviewed and approved by a State Engineer. He feels that all of this permit review work is a money grab by the State of NJ and asked the Mayor to join him in developing a Resolution to say enough is enough.

Deputy Mayor Miller stated that the Canoe Carnival Committee has been actively meeting through the winter and the event is expected to be bigger and grander than in previous years. He noted that the Colony's Craft Shop building project is currently under Pinelands review.

Mayor Burton attended the NJ Mayor's Legislative Day where much of the discussion surrounded the Transportation Trust Fund and the numerous and burdensome regulations placed upon local government.

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## COMMUNICATION

Council was provided with instructions for completing the Camden County Joint Insurance Fund Elected Officials Training.

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## BILL LIST (s)

(Dated February 19, 2016 – Total Line Items 80 – Total List Amount = \$338,994.97)

Deputy Mayor Miller motioned approval of the Bill List, 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    |      |        |         |

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## PUBLIC COMMENT #2

Mayor Burton opened the meeting to public comment.

Kevin Ellicott of Nantucket Trail commented on the NJPEOSH requirements for an on-location confined rescue team and offered assistance to aid the Borough in meeting its requirements.

Councilman Hanold stated that the Cochise Circle Project is safety driven as a means to remove the confined space issues. He is just frustrated with the States review process given that our own "State Licensed Engineer" has developed and reviewed the project.

Phil Conine of Apache Trail stated that his house is easily identifiable by the disgusting mud hole in front of it. He expressed concern and frustration that the Borough infrastructure issues are not being addressed like the drainage at his property while the firehouse project is looking to be funded. He would rather see the infrastructure repairs be funded first. He noted the Oaks Hall building cost overrides and Council should anticipate push-back from the residents.

*Mayor Burton said that the 2015 Road Improvement bids came in higher than anticipated which required a re-bid. It was determined to add the 2015 program to the 2016 Road Improvement Program and given the price of oil we expect to receive lower bids. He said that the firehouse/public works building project started with a draft which is being modified based on input at the recent public meeting. He stated that this council had learned from previous councils and understood the importance of public feedback and involvement.*

Joe Aromando of Shingowack Trail expressed concern about the Solicitor’s comments regarding the need to hire an outside Assessor to address a State filed Tax Appeal. He noted that this isn’t a complicated appeal and a negotiated settlement should be attempted based on tax equity and fairness. He mentioned that the past Tax Assessor who oversaw the Borough’s Revaluation messed up. He also asked that Council support requesting the County to include an Absentee Ballot with all sample ballots mailed. He also asked that Council support moving the May Municipal Election to November in an effort to boost participation and save the roughly \$12,000 in costs.

*Councilman Hanold stated that most people look at the sample ballot the day before or day of the election voiding the benefit of having an absentee ballot. He also noted that there is little reason people can’t vote given that the poles open at 6am and close at 8pm.*

*Clerk McIntosh explained the Municipal Election process and noted that many people believe that changing the date to November will remove the non-partisan benefits and it will become a political process.*

*Solicitor Heinold explained the need and benefits for an independent expert witness to testify on the Borough’s behalf during a State Tax Appeal and said that the Borough supports resolving the appeal prior to court and that we are not closing the door on a compromise.*

Kevin Ellicott of Nantucket Trail stated that he can’t say wther moving the May Election to November is beneficial but noted that deployed military personnel have a difficult time in casting their ballots.

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

**VOTE TO ADJOURN**

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

Vote to adjourn

Yeas –Burton, Miller, Cranston, Hanold, Merkh

Nays – None

Meeting Adjourned