

BOROUGH OF MEDFORD LAKES, NEW JERSEY

SCHEDULED REGULAR MEETING (7:00pm)

March 10, 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, Deputy Mayor Gary A. Miller, Councilman Thomas J. Cranston, Councilman Robert D. Hanold, Sr. and Councilwoman Kathryn Merkh answered in attendance. Also present was Manager Julie Horner-Keizer and Solicitor Douglas Heinold, Esq.

PUBLIC COMMENT #1

Mayor Burton opened the meeting to public comment.

Joe Aromando of Medford Lakes asked for clarification of Resolution Numbers 41-16, 43-16 and 44-16 which he believes should be settled without court.

Manager Horner-Keizer explained Resolution Number 41-16 regarding her responsibility and the checks and balances oversight as we proceed through the loan program.

Mayor Burton explained Resolution Number 43-10 and stated that the program includes public works equipment to office equipment at no cost to the Borough and can be returned at no cost. He said the program isn't just tanks and armored vehicles.

Solicitor Heinold explained Resolution Number 44-16 stating that the Borough Assessor had requested an independent expert witness for a State Tax Appeal. The Solicitor recommended the vendor having requested proposals from various firms, receiving four with MAA as the most advantageous. He further agreed that all efforts would be to resolve the issue prior to court.

MINUTES

Deputy Mayor Miller motioned adoption of the February 25, 2016 Regular Session Minutes, seconded by Councilman Hanold.

Vote to adopt

Yeas – Burton, Miller, Cranston, Hanold, Merkh

Nays – None

Minutes Adopted

ORDINANCES

Deputy Mayor Miller introduced Ordinance 631 on first reading, seconded by Councilman Hanold

ORDINANCE 631

**AN ORDINANCE CREATING CHAPTER 56
ESTABLISHING REQUIREMENTS FOR THE
UPKEEP OF VACANT AND ABANDONED
RESIDENTIAL PROPERTIES**

WHEREAS, the Borough Code Enforcement Officer has advised that there are numerous properties within the Borough that are not being properly maintained and that enforcement of maintenance is often difficult because of the difficulty in finding a responsible party; and

WHEREAS, pre-foreclosure, foreclosure and abandoned properties can have a deleterious impact on the neighboring properties and the community at large; and

WHEREAS, the Borough adopts the following regulations in the best interests of the health, safety and welfare of the residents and the public at large, and in accord with authorizing statutes.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Borough Council of the Borough of Medford Lakes that Chapter 56 of the Borough Code is hereby created as follows:

Section 1.

Chapter 56. Abandoned Properties.

§56-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CREDITOR Consistent with Section 3 of P.L. 2008, c. 86, (N.J.S.A. 46:10B-38), a state-chartered bank, savings bank, savings and loan association or any credit union, any person required to be licensed under the provisions of the New Jersey Residential Mortgage Lending Act (N.J.S.A. 17:11C-51 et seq.), and any entity acting on behalf of the creditor named in the debt obligation, including but not limited to, servicers.

VACANT AND ABANDONED Consistent with Section 1 of P.L. 2010, c. 70 (N.J.S.A. 2A:50-73), residential real estate for which a notice of violation has been issued pursuant to § 227-16 of this chapter and Subsection b. of Section 1 of P.L. 2014, c. 35. Residential property shall further be deemed "vacant and abandoned" where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

- A. Overgrown or neglected vegetation;
- B. The accumulation of newspapers, circulars, flyers or mail on the property;
- C. Disconnected gas, electric, or water utility services to the property;
- D. The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- E. The accumulation of junk, litter, trash or debris on the property;
- F. The absence of window treatments such as blinds, curtains or shutters;
- G. The absence of furnishings and personal items;

- H. Statements of neighbors, delivery persons, or government employees indicating that the residence is vacant and abandoned;
- I. Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- J. Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- K. A risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- L. An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- M. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- N. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property; and
- O. Any other reasonable indicia of abandonment.

§56-2. Creditor responsibility.

- A. A creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough shall be immediately responsible for the care, maintenance, security, and upkeep of the exterior of the property, after the property becomes vacant and abandoned as defined in this article.
 - a. Upon the effective date of this ordinance, the creditor/owner of any vacant property as defined herein shall, within thirty (30) calendar days after the building becomes vacant property or within thirty (30) calendar days after assuming ownership of the vacant property, whichever is later; or within ten (10) calendar days of receipt of notice from the municipality, file a registration statement for such vacant property with the Borough Clerk on forms provided by the Borough for such purposes. Any failure to provide notice by the municipality shall not constitute grounds for failing to register the property.
 - i. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately, unless the properties are contiguous and function as one unit, in which case they may register together.
 - ii. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four (24) hour per day, seven-day-per week basis.
 - iii. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31 of the year in which it was filed. The owner shall be required to renew the registration annually as long as the building remains vacant property, and shall pay a registration or renewal fee in the amount prescribed in Section III of this ordinance for each vacant property registered.
 - iv. The annual renewal shall be completed by January 1 each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

- v. The owner shall notify the Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose.
 - vi. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the building.
- B. Where a creditor is located out-of-state, the creditor shall be responsible for appointing an in-state representative or agent to act on the creditor's behalf for the purpose of satisfying all requirements of Subsection A of this section. Notice of said representative or agent shall be provided to the Borough clerk in a manner that is consistent with Subsection a. of Section 17 of P.L. 2008, c. 127 (the Save New Jersey Homes Act of 2008, N.J.S.A. 46:10B-36 et seq.), and shall further include the full name and contact information of the in-state representative or agent.

§56-3. Fee Schedule.

- A. The initial registration fee for each building shall be five-hundred dollars (\$500.00). The fee for the first renewal is one-thousand-five hundred dollars (\$1,500.00), and the fee for the second renewal is three-thousand dollars (\$3,000.00). The fee for any subsequent renewal beyond the second renewal is five-thousand dollars (\$5,000.00).

Vacant Property Registration Fee Schedule

Initial Registration	\$500.00
First Renewal	\$1,500.00
Second Renewal	\$3,000.00
Subsequent Renewal	\$5,000.00

§56-4. Notice.

- A. Any public officer designated by the Borough or authorized municipal official responsible for the administration of any property maintenance or public nuisance code shall be authorized to issue a notice to a creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Borough, if the public officer determines that the creditor has violated this article by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property. Where a creditor is an out-of-state creditor, the notice shall be issued to the representative or agent that has been identified by the creditor pursuant to § 227-15 of this chapter and the Save New Jersey Homes Act of 2008, N.J.S.A. 46:10B-36 et seq.
- B. The notice referenced in Subsection A of this section shall require the creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.
- C. The issuance of a notice pursuant to Subsection A of this section shall constitute proof that a residential property is vacant and abandoned for the purposes of this article.

§56-5. Violations and penalties.

- A. A creditor subject to this article that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this article shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this subsection shall commence thirty-one (31) days following the creditor's receipt of the notice, except where the violation is deemed to present an imminent risk to the public health and safety, in which case any fines shall commence eleven (11) days following receipt of the notice.

- B. An out-of-state creditor subject to this article that is found by the Municipal Court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-state representative or agent shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed on an out-of-state creditor for the failure to appoint an in-state representative or agent shall commence on the day after the ten-day period set forth in Paragraph (1) of Subsection a. of Section 17 of P.L. 2008, c. 127 (N.J.S.A. 46:10B-51) for providing notice to the Municipal Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
- C. No less than 20% of any money collected by the Borough pursuant to this section shall be utilized by the Borough for municipal Code enforcement purposes.

Section 2. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

Section 3. Severability. If any provision of this Ordinance is deemed to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Ordinance shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect upon proper passage in accordance with the law.

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			

Councilwoman Merkh introduced Ordinance 632 on first reading, seconded by Councilman Hanold

ORDINANCE NUMBER 632

AN ORDINANCE TO AMEND ORDINANCE NUMBER 605, AN ORDINANCE AUTHORIZING THE APPROPRIATION IN THE AMOUNT OF \$122,000.00 FROM CAPITAL RESERVE AND GENERAL CAPITAL FUND BALANCES, FOR THE ACQUISITION OF CERTAIN EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, FIRE DEPARTMENT AND POLICE DEPARTMENT IN THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, AND THE STATE OF NEW JERSEY

WHEREAS, the Borough Council would like to amend Ordinance 605, a fully funded capital ordinance;
and

WHEREAS, the amendment is for Section 2, Emergency Management Communication Equipment.

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 605 is hereby amended as follows:

Originally Adopted:

SECTION 2. (a) The Improvements herein authorized and purposes, and the estimated cost therefore, and the period of usefulness of each improvements are as follows:

Acquisition of Equipment for Public Works Department	\$50,000.00	5 years
Acquisition of Equipment for Fire Department	10,000.00	5 years
Acquisition of Equipment for Police Department	32,000.00	5 years
Emergency Management Communication Equipment	30,000.00	5 years

Amended to:

SECTION 2. (a) The Improvements herein authorized and purposes, and the estimated cost therefore, and the period of usefulness of each improvements are as follows:

Acquisition of Equipment for Public Works Department	\$50,000.00	5 years
Acquisition of Equipment for Fire Department	10,000.00	5 years
Acquisition of Equipment for Police Department	32,000.00	5 years
Emergency Management Equipment	30,000.00	5 years

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

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			

RESOLUTIONS

Council, Solicitor and the Clerk discussed Roberts Rules of Order as they relate to tabling of Resolutions.

Councilman Hanold motioned to untable and re-introduce 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.

Councilman Hanold stated that he discussed this Resolution with the Pinelands Commission and no changes would be made.

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			

Councilman Hanold introduced Resolution Number 41-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 41-16

A RESOLUTION CONFIRMING THAT THE BOROUGH MANAGER BE AUTHORIZED TO ACT AS AN AUTHORIZED REPRESENTATIVE OF THE BOROUGH OF MEDFORD LAKES RELATED TO A NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST LOAN #S340319-03

WHEREAS, the Borough of Medford Lakes intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust; and

WHEREAS, the Borough proposes to rehabilitate and repair its existing sanitary sewage collection system located throughout its service area; and

WHEREAS, the Borough proposes to line 110,000 linear feet of sewer pipe and/or replacement of 5,000 linear feet of sewer pipe, the interior lining of approximately 500 manholes, repair and/or replacement of 20 manholes and testing and sealing of approximately 1,350 lateral connections; and

WHEREAS, the New Jersey Environmental Infrastructure Financing Program requires an “authorized representative” of Medford Lakes Borough to complete and sign all NJEIT reimbursement request forms.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Julie L. Horner-Keizer, Borough Manager be authorized to act as the Authorized Representative to represent the Borough of Medford Lakes in all matters relating to the project undertaken pursuant to the above referenced loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust.

BE IT FURTHER RESOLVED, that the Authorized Representative may be contacted at 1 Cabin Circle, Medford Lakes, New Jersey 08055 or (609) 654-8898.

Mayor Burton called for the vote.

VOTE

	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			

Councilman Hanold introduced Resolution Number 42-16, seconded by Councilwoman Merkh.

RESOLUTION NUMBER 42-16

A RESOLUTION AUTHORIZING TEMPORARY APPROPRIATIONS

WHEREAS, an emergent condition has arisen in that the Borough is expected to enter in contracts, commitments or payments prior to the 2016CY budget and no adequate provision has been made in the 2016CY temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2016CY pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$34,750.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20:

- Emergency temporary appropriations be and the same are hereby made in the amount of \$34,750 as follows:

ENGINEERING SERVICES

Other Expenses **\$8,000.00**

CAPITAL

Road Improvement **\$26,750.00**

Total = \$34,750.00

- Said emergency temporary appropriations will be provided for in the 2016CY budget.
- That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Mayor Burton called for the vote.

VOTE

	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			

Councilman Cranston introduced Resolution Number 43-16, seconded by Mayor Burton.

RESOLUTION NUMBER 43-16

A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES AUTHORIZING PARTICIPATION IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM

WHEREAS, the Borough of Medford Lakes Police Department has determined to enroll and participate in the Law Enforcement Support Office (LESO) 1033 Program which permits local law enforcement agencies to acquire/purchase personal property of the Department of Defense to be used for public safety and counter-terrorism purposes; and

WHEREAS, pursuant to Senate Bill No. 2364, it is necessary for the Governing Body of the Borough of Medford Lakes to approve by Resolution and adopted by a majority of the full membership of said Governing Body, authorizing enrollment of the Borough of Medford Lakes Police Department in the LESO Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that it hereby approves an application for enrollment by the Medford Lakes Police Department in the Law Enforcement Support Office (LESO) 1033 Program pursuant to the requirements set forth in Senate Bill No. 2364.

BE IT FURTHER RESOLVED that appropriate notice of adoption of this Resolution shall be sent to the necessary agencies or regulatory parties as required.

BE IT FURTHER RESOLVED that this Resolution will take effect immediately upon adoption.

Mayor Burton called for the vote.

VOTE

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

Councilman Cranston introduced Resolution Number 44-16, seconded by Mayor Burton.

RESOLUTION NUMBER 44-16

A RESOLUTION AUTHORIZING APPOINTMENT OF

RICHARD CARABELLI, APPRAISER FOR TAX APPEAL LITIGATION

WHEREAS, the Borough of Medford Lakes is defending a tax appeal in State Tax Court captioned Franken v. Medford Lakes, an added assessment appeal; and

WHEREAS, the property is a residential property at 133 Stokes Road, more formally known as Block 10034, Lot 17; and

WHEREAS, the Borough Assessor requested quotes from four (4) separate appraisers to conduct an appraisal report and, if necessary, testify at trial, with regard to the appeal; and

WHEREAS, two proposals were received, with matching appraisal report prices, and following review between the Attorney and Assessor, the most advantageous proposal received by the Borough was submitted by Richard Carabelli, MAI, by letter dated February 22, 2016, proposing a base rate of \$2,000.00 for the appraisal report and an hourly rate for testimony, if necessary, in accord with the attached proposal; and

WHEREAS, the Borough desires to appoint Mr. Carabelli as its expert appraiser for the above-cited litigation.

NOW, WHEREFORE, BE IT HEREBY RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that Richard Carabelli, MAI, is hereby appointed as the Borough’s expert appraiser in the matter of Franken v. Medford Lakes Borough, in accord with his February 22, 2016 proposal, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that the Borough Manager, Clerk, Assessor and Attorney are directed and authorized to take such steps as may be necessary to effectuate this appointment and to defend this appeal.

Councilman Hanold asked if the appeal is determined to be frivolous can the town get reimbursed for legal expenses.

Solicitor Heinold explained the statutory definition of frivolous and his role in determination.

Mayor Burton called for the vote.

VOTE

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

Councilman Cranston introduced Resolution Number 45-16, seconded by Councilman Hanold

RESOLUTION NUMBER 45-16

A RESOLUTION TO APPOINT MEMBERS TO FILL VACANCIES ON THE ENVIRONMENTAL COMMISSION AND RESTATING EXISTING MEMBERS AND TERMS

WHEREAS, the Borough of Medford Lakes pursuant to the provisions of N.J.S.A. 40:56A-1 et seq. created and established a commission known as the Medford Lakes Environmental Commission on January 25, 1979 by Ordinance No. 151; and

WHEREAS, the appointments of Regular Members are by the Mayor and the appointments of Alternates Members are by majority vote of the Borough Council; and

WHEREAS, the vacant position is for one regular members.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointments be made and/or restated to the Environmental Commission:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Carl Pellegrino	Regular Member	January 1, 2014	December 31, 2016
Steven Bruder	Regular Member	January 1, 2014	December 31, 2016
Jim Palmer	Regular Member	January 1, 2014	December 31, 2016
Mike Keating	Regular Member (PB)	January 1, 2015	December 31, 2017
Ray White	Regular Member	January 1, 2016	December 31, 2018
Jen Reugg	Regular Member	January 1, 2015	December 31, 2017
Kim Cable	Regular Member	January 1, 2016	December 31, 2018

Mayor Burton called for the vote.

VOTE

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

Councilman Hanold introduced Resolution Number 46-16, seconded by Deputy Mayor Miller

RESOLUTION NUMBER 46-16

A RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE NEETA TRAIL FIELD SURVEY

WHEREAS, the Borough of Medford Lakes has a need to acquire a Special Project Engineer for Surveying Services related to Neeta Trail; 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 130-15 ; 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 \$2,000.00 to, Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 for Item 1 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 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			

Deputy Mayor Miller introduced Resolution Number 47-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 47-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE MERCHANDISE RAFFLE) TO PTA SOUTHAMPTON TWP

WHEREAS, the PTA SOUTHAMPTON TWP has qualified in the prescribed manner and submitted Raffle Application Number 16-07 to hold an On-Premise Merchandise Raffle on May 12, 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 PTA SOUTHAMPTON TWP.

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			

Deputy Mayor Miller introduced Resolution Number 48-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 48-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE 50/50 RAFFLE) TO PTA SOUTHAMPTON TWP

WHEREAS, the PTA SOUTHAMPTON TWP has qualified in the prescribed manner and submitted Raffle Application Number 16-08 to hold an On-Premise 50/50 Raffle on May 12, 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 PTA SOUTHAMPTON TWP.

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 Cranston introduced Resolution Number 49-16, seconded by Mayor Burton

RESOLUTION NUMBER 49-16

A RESOLUTION APPOINTING A CROSSING GUARD FOR 2016

WHEREAS, it is the desire of the Borough to utilize Crossing Guards to assist in the safe movement of our children and other residents as they cross identified Borough crosswalks during School hours; and

WHEREAS, the New Jersey State Statute governing Crossing Guards requires that they be appointed each year; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position of Crossing Guard; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointment be made as Crossing Guard:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Annmarie Lombardi	Crossing Guard	March 1, 2016	December 31, 2016

Mayor Burton called for the vote.

VOTE

	Moved	Seconded	Ayes	Nays	Absent	Abstain

Mayor Robert J. Burton		X	X			
Deputy Mayor Gary A. Miller			X			
Councilman Thomas J. Cranston	X		X			
Councilman Robert D. Hanold, Sr.			X			
Councilwoman Kathryn A. Merkh			X			

Deputy Mayor Miller introduced Resolution Number 50-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 50-16

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 16-09 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.

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 and noted that leaves are still being picked up, the EMS Banquet is scheduled for April 23rd, the 2015 Manager’s Annual Report has been provided to Council and will be posted on the website.

Clerk McIntosh submitted a written report and commented on the on-line auction of MLFD equipment and the preparation/processing for the May 10th Municipal Election.

Solicitor Heinold submitted a written report.

SUBCOMMITTEE REPORTS

Deputy Mayor Miller stated that the Canoe Carnival preparation is underway with anticipated revenue from t-shirt sales and viewing seats. He has been in conversation with Chief Dugan, MLPD trying to work on lowering the costs for event security. He also anticipates the Colony making a decision on the paddleboat issue.

Councilman Hanold stated that he spoke with Millie (Colony Office Manager) and was told that the paddleboat issue is in the hands of the Colony Director. He said that he's heard that the Colony received a mixed review from their paddleboat survey.

Councilman Cranston met with Sandy Wasson (MLEMS Contractor) regarding final closeout of their accounts and provided a check in the amount of \$1,521.63. The check was given to Clerk McIntosh for deposit in the EMS Trust Account.

COMMUNICATION

Council was provided a letter from existing paddleboat owners who were requesting certain revisions to the recently passed temporary Ordinance. Council asked the Solicitor to revise the Ordinance and provide Council with a draft.

BILL LIST (s)

(Dated March 4, 2016 – Total Line Items 92 – Total List Amount = \$798,296.97 with payroll \$65,129.39)

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			

PUBLIC COMMENT #2

Mayor Burton opened the meeting to public comment.

Joe Aromando of Medford Lakes asked for clarification on Resolution Number 46-16.

Councilman Hanold stated that the Department of Public Works had requested clarification of the roadway boundaries as they are having difficulty with a resident putting leaves and trash out. He also stated that the current roadway improvement does not provide adequate access by Emergency Services.

Joe Aromando of Medford Lakes commented on how Tax Boards are made up of political appointees and sometimes lacking qualified membership. He stated that he's been to both County and State Tax Court and has seen towns represented solely by the local Assessor and local Solicitor without a need for an expert witness. He stated that the appeal mentioned is not for a strip-mall but a simple house.

Joe asked that Council join him in support for making "robo" calls to residents reminding them of the upcoming Municipal Election. He asked that the Borough publicize the election on their website and through the Colony News. He also expressed concern that the Borough hasn't moved its election from May to November and saving the approximately \$12,000 cost.

Councilman Cranston expressed his concern with how Mr. Aromando characterized the local electorate and was insulted by his comments.

Mayor Burton stated that he was not in favor of moving the election as it would politicize the process. He does support use of Absentee Ballots and robo call reminders.

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

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