

BOROUGH OF MEDFORD LAKES, NEW JERSEY

SCHEDULED REGULAR MEETING (7:00pm)

March 24, 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 and Councilwoman Kathryn Merkh answered in attendance. Councilman Robert D. Hanold, Sr. was absent. 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 an explanation of Resolution #55-16 since the Borough has existing memos on the creation of the district with rules/regs. Why pay for work again?

Solicitor Heinold explained that Council desires to make some revisions and Municipal Land Use Law dictates how revisions are made to Historic Commissions and the law requires us to follow a process using a Licensed Planner.

Mayor Burton closed public comment.

MINUTES

Deputy Mayor Miller motioned adoption of the March 10, 2016 Regular Session Minutes, seconded by Councilwoman Merkh

Vote to adopt

Yeas – Burton, Miller, Cranston, Merkh

Nays – None

Absent – Hanold

Minutes Adopted

ORDINANCES

Deputy Mayor Miller introduced Ordinance 631 on second reading with public hearing seconded by Councilwoman Merkh

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 opened the meeting to a public hearing on the Ordinance.

Joe Aromando of Medford Lakes asked what the differences were between this Ordinance and the existing one.

Solicitor Heinold explained the statutory authorization from 2008 passed by the NJ Legislature in an effort to deal with numerous abandoned properties and influence the banks to get the houses back on the market due to the negative impact vacant homes have on communities.

Jayne Cabrilla of the Central Record inquired if fines were applied for failure to upkeep and failure to register.

Solicitor Heinold stated yes for both.

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	
Councilwoman Kathryn A. Merkh		X	X			

Councilman Cranston introduced Ordinance 632 on second reading with public hearing, seconded by Deputy Mayor Miller.

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 opened the meeting to a public hearing on the Ordinance.

Joe Aromando of Medford Lakes asked for clarification on the changes.

Manager Horner – Keizer explained the change.

Mayor Burton closed the public 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		X			
Councilman Robert D. Hanold, Sr.					X	
Councilwoman Kathryn A. Merkh			X			

RESOLUTIONS

Councilman Cranston introduced Resolution Number 51-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 51-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON PREMISE MERCHANDISE RAFFLE) TO JOE JOE’S PLACE ANIMAL SANCTUARY, INC.

WHEREAS, the JOE JOE’S PLACE ANIMAL SANCTUARY, INC. has qualified in the prescribed manner and submitted Raffle Application Number 16-10 to hold an On-Premise Merchandise Raffle on May 7, 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 JOE JOE’S PLACE ANIMAL SANCTUARY, 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			
Councilman Thomas J. Cranston	X		X			
Councilman Robert D. Hanold, Sr.					X	
Councilwoman Kathryn A. Merkh		X	X			

Deputy Mayor Miller introduced Resolution Number 52-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 52-16

A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, BURLINGTON COUNTY, STATE OF NEW JERSEY, AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF LUMBERTON CONCERNING THE SHARING OF VEHICLE MAINTENANCE SERVICES

WHEREAS, the Borough of Medford Lakes and the Township of Lumberton are municipalities located in the County of Burlington; and

WHEREAS, the Township of Lumberton has the technical and trained manpower to perform vehicle maintenance; and

WHEREAS, the Borough of Medford Lakes from time to time is in need of vehicle maintenance for its Borough vehicles but does not have the resources to perform such maintenance; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. provides the mechanism for local governments to enter into contracts for the joint provision of required services; and

WHEREAS, the Borough of Medford Lakes and the Township of Lumberton wish to enter into this Shared Services Agreement, in accordance with its terms for a period of two years, until December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, Burlington County, NJ, that the Mayor and Municipal Clerk are hereby authorized to sign the Shared Services

Agreement, annexed hereto together with the fee schedule, on behalf of the Borough of Medford Lakes and that their signature constitutes acceptance of the terms and conditions of said agreement.

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 53-16, seconded by Deputy Mayor Miller

RESOLUTION NUMBER 53-16

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO
A SHARED SERVICES AGREEMENT FOR EMERGENCY MEDICAL SERVICES WITH
MEDFORD TOWNSHIP**

WHEREAS, the Township of Medford employs a paid and volunteer staff of Emergency Medical Technicians, Monday through Sunday, from 00:00hrs to 24:00hrs; and

WHEREAS, the BOROUGH OF MEDFORD LAKES is in need of emergency medical services coverage; and

WHEREAS, the Township of Medford is agreeable to providing the service of Emergency Medical Services to the Borough of Medford Lakes, Monday through Sunday, from 00:00hrs to 24:00hrs; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. permits local units of this State to enter into a contract with any other local unit for such services; and

WHEREAS, the Township of Medford agrees to provide emergency medical services to the BOROUGH OF MEDFORD LAKES on the terms and conditions in this agreement.

NOW, BE IT RESOLVED that the BOROUGH OF MEDFORD LAKES authorizes the Mayor and the Clerk to enter into an interlocal service agreement for Emergency Medical Services with Medford Township.

1. This agreement shall be in effect for twenty-four (24) months effective January 1, 2016 and ending December 31, 2017.
-

Sandy Wasson of Medford Lakes asked if the ambulances would be donated to neighboring EMS providers

Solicitor Heinold stated that the Borough is undergoing a final accounting of the Trust Fund based on having received the closeout monies from the former squad. Once complete, Council will dispose of the EMS monies and equipment pursuant to the settlement agreement.

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		X			
Councilman Robert D. Hanold, Sr.					X	
Councilwoman Kathryn A. Merkh			X			

Deputy Mayor Miller introduced Resolution Number 54-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 54-16

A RESOLUTION SUPPORTING THE LENAPE REGIONAL HIGH SCHOOL DISTRICT’S, *HEADS UP, EYES FORWARD!* CAMPAIGN

WHEREAS, distracted driving is any activity that diverts a person’s attention away from the primary task of driving; and

WHEREAS, all distractions endanger driver, passenger, and bystander safety; and

WHEREAS, sending or receiving a text takes a driver’s eyes off the road for an average of 4.6 seconds, the equivalent of driving blind at 55-mph for the length of an entire football field; and

WHEREAS, our youngest and most inexperienced drivers are most at risk, with 10 percent of all distracted driving crashes involving drivers under the age of twenty.

THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Medford Lakes hereby supports the Lenape Regional High School District’s, *Heads up, Eyes Forward!* Campaign and applaud the students’ efforts in promoting this important message in their pursuit to make our roads a safer place.

BE IT FURTHER RESOLVED, that the day of Monday, April 25, 2016 be proclaimed as *Heads Up, Eyes Forward!* Day and that the Clerk is to send a copy of this Resolution to the Lenape Regional High School District and have the campaign message posted on the firehouse message board.

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 55-16, seconded by Deputy Mayor Miller.

RESOLUTION NUMBER 55-16

A RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE MASTER PLAN COMMUNITY DESIGN PLAN HISTORIC PRESERVATION ELEMENT

WHEREAS, the Borough of Medford Lakes has a need to acquire a Planner; 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, Joseph S. Augustyn, PP, AICP of ALAIMO GROUP had submitted a proposal and is identified as a qualified Planner in accordance with Borough of Medford Lakes Planning Board Resolution Number 16-15; and

WHEREAS, it has been determined that revisions are desired to the Historic Preservation Ordinance; 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 \$3,000 to Joseph S. Augustyn, PP, AICP of ALAIMO GROUP for Phase 1, Task 1 and Task 4 as defined in their proposal attached hereto and made a part of.

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 56-16, seconded by Councilwoman Merkh

RESOLUTION NUMBER 56-16

A RESOLUTION AUTHORIZING A CONTRACT WITH NATIONAL AUTO FLEET GROUP THROUGH A NATIONAL COOPERATIVE PURCHASING AGREEMENT PURSUANT TO N.J.S.A. 52:34-6.2(b)(3)

WHEREAS, the Medford Lakes Public Works Department has a need to replace a 1998 GMC Dump Truck; and

WHEREAS, the Public Works Department has conducted its due diligence and determined that the contract will result in a cost savings; and

WHEREAS, it has been determined that the National Joint Powers Alliance contract for Bid #102811 has met the vehicle and equipment specifications determined by the Public Works Department and has met the standards for New Jersey’s “fair and open” criteria; and

WHEREAS, the National Auto Fleet Group 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 National Auto Fleet Group for a vehicle available under the National Joint Powers Alliance Bid #102811 for an amount NTE \$154,749.00 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	
Councilwoman Kathryn A. Merkh		X	X			

Councilwoman Merkh introduced Resolution Number 57-16, seconded by Deputy Mayor Miller

RESOLUTION NUMBER 57-16

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (OFF-PREMISE MERCHANDISE RAFFLE) TO MEDFORD LAKES EDUCATION FOUNDATION

WHEREAS, the MEDFORD LAKES EDUCATION FOUNDATION has qualified in the prescribed manner and submitted Raffle Application Number 16-11 to hold an Off-Premise Merchandise Raffle on May 6, 2016 at Medford Lakes Country Club; and

WHEREAS, Council has reviewed the findings and determinations and concur that the Off-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 Off-Premise Merchandise Raffle be and is hereby granted to the MEDFORD LAKES EDUCATION FOUNDATION.

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 58-16, seconded by Deputy Mayor Miller

RESOLUTION NUMBER 58-16

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 \$3,000 as follows:

BUILDING & GROUNDS	
Other Expenses	\$3,000.00

Total = \$3,000.00

- 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	X			
Councilman Thomas J. Cranston	X		X			
Councilman Robert D. Hanold, Sr.					X	
Councilwoman Kathryn A. Merkh			X			

REPORTS

Manager Horner – Keizer provided a written report and noted that the Borough received a Burlington County Park Grant for the area along Aetna Way, the Public Works crews are picking up brush, the TWA Permit was approved by the State so the Cochise Circle project can proceed and she mentioned that the Construction Official asked for the Borough to amend the Construction Sub code Ordinance to include a Mechanical Sub code Inspector definition.

Clerk McIntosh submitted a written report and commented on the processing of a FEMA claim related to the recent snow storm and the success of the GovDeals auction that closed.

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, ad-book/program 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 Cranston anticipates an introduction of the 2016 Municipal Budget at the next meeting.

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 10, 2016 – Total Line Items 75 – Total List Amount = \$24,159.14 with payroll \$65,108.55)

Deputy Mayor Miller motioned approval of the Bill List, seconded by Councilwoman Merkh

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	
Councilwoman Kathryn A. Merkh		X	X			

PUBLIC COMMENT #2

Mayor Burton opened the meeting to public comment.

Joe Aromando of Medford Lakes stated that the EMS assets should be sold and not given away since they do have value. He said that the Borough spent a lot of money to get closure with the previous EMS provider and sale of the assets could help off-set those costs. He asked if the County Park Grant monies could be used to fix the lighting problem along Beach Drive Dam. He concluded by asking if a public service announcement could be blasted out to all residents regarding the upcoming municipal election and would like to see the schools get involved by having the students create voting awareness pictures to be displayed at the polling locations.

Council agreed that public awareness is important part of the election process and recommended that Joe contact the League of Women Voters for some assistance. It was noted that voter turnout has been in decline since the end of World War II and is a societal issue that needs attention.

RESOLUTION NUMBER 59-16

A RESOLUTION AUTHORIZING AN EXECUTIVE/CLOSED SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Governing Body of Medford Lakes Borough has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Medford Lakes Borough will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

_____ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public;

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body;

_____ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

XXXX Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;

_____ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting;

_____ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

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 motioned to reconvene the Regular Meeting and adjourn, 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			
Councilman Robert D. Hanold, Sr.					X	
Councilwoman Kathryn A. Merkh		X	X			

Vote to adjourn

Yeas –Burton, Miller, Cranston, Merkh

Nays – None

Absent – Hanold

Meeting Adjourned