

BOROUGH OF MEDFORD LAKES, NEW JERSEY

WORKSHOP MEETING

AUGUST 25, 2010

A Workshop Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in Oaks Hall at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ 08055 beginning at 7:30pm. Following the pledge of allegiance and a moment of silence (Council and the public observed a moment of silence to honor service men and women defending our country). Clerk McIntosh read the Open Public Meetings Act: pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting had been provided by advertisement of the annual notice of meetings in the central record (1/7), Burlington County Times (1/7), Courier Post (1/6) and 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 McIntosh called roll. Mayor Gary A. Miller, Deputy Mayor Thomas J. Cranston, Councilman Gregory C. Lackey and Councilman Robert D. Hanold, Sr. answered in attendance. Councilman Jeffrey Fitzpatrick was absent. Also present were Manager Julie Horner-Keizer, Deputy Manager/Clerk Mark J. McIntosh, Police Chief Frank Martine, Fire Chief Dennis P. Staples, Tax Assessor Blackwell Albertson, Borough Engineer Jeff McNesby and Solicitor Peter C. Lange, Jr.

PUBLIC COMMENT #1

Mayor Miller opened the meeting for public comment.

Joe Aromando of 285 Shingowack Trail provided Council with a letter requesting a change in the due dates for sewer.

Richard Thurber of 198 Chippewa Trail asked what qualifications are there for a Planning Board Member and if they (members) were held to the same property maintenance standards that everyone else is.

Solicitor Lange stated that the only qualification for a member is to be a resident of the town. All residents regardless of membership on any boards are all held equally to the same property maintenance standards.

Hearing no further comment, Mayor Miller closed public comment.

MINUTES

Deputy Mayor Cranston motioned for approval/adoption of the August 11, 2010 Regular Session meeting minutes, seconded by Councilman Lackey

Vote to approve/adopt

Yeas – Cranston, Lackey, Hanold

Nays – None

Abstain – Miller (*absent from 8/11 mtg.*)

Absent – Fitzpatrick

Minutes approved/adopted

RESOLUTIONS

Mayor Miller asked the Clerk to read Resolution Number 144-10.

WHEREAS, the Borough of Medford Lakes hereby authorizes submission of an electronic grant application identified as COP-2011-MEDFORD LAKES BOROUGH-00052 to the New Jersey Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Medford Lakes that the Mayor and Borough Clerk are hereby authorized and directed to execute the grant agreement and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Councilman Hanold introduced resolution 145-10 for approval, seconded by Councilman Lackey.

Mayor Miller asked for Council comment, hearing none he asked for public comment, hearing none he requested a roll call vote.

Vote to approve/adopt resolution 145-10
Yeas – Miller, Cranston, Lackey, Hanold
Nays – None
Absent – Fitzpatrick
Resolution approved/adopted

Mayor Miller asked the Clerk to read Resolution Number 146-10.

RESOLUTION 146-10

AUTHORIZING SUBMISSION OF A GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MCKENDIMEN ROAD BIKEWAYS PROJECT

WHEREAS, the Borough of Medford Lakes formally approves the grant application for the McKendimen Road Bikeways Project; and

WHEREAS, the Borough of Medford Lakes hereby authorizes submission of an electronic grant application identified as BIKE-2011-MEDFORD LAKES BOROUGH-00107 to the New Jersey Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Medford Lakes that the Mayor and Borough Clerk are hereby authorized and directed to execute the grant agreement and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Councilman Hanold introduced resolution 146-10 for approval, seconded by Councilman Lackey.

Mayor Miller asked for Council comment.

Councilman Lackey asked if this included pedestrian safety concerns at the Beach #1 crossing.

Engineer McNesby explained the scope of the project.

Chief Martine explained the history of the project.

Mayor Miller asked for public comment

Joe Aromando of 285 Shingowack Trail asked what the request amounts are and when does the Borough expect to hear about awards.

Engineer McNesby stated that the grant for the bridge at Hiawatha Trail is \$85,000 and the McKendimen Road and Tabernacle Road sidewalk and roadway improvement was approximately \$110,000.

Mayor Miller requested a roll call vote.

Vote to approve/adopt resolution 146-10
Yeas – Miller, Cranston, Lackey, Hanold
Nays – None
Absent – Fitzpatrick
Resolution approved/adopted

Mayor Miller asked the Clerk to read Resolution Number 147-10.

RESOLUTION 147-10
AWARDING A BID FOR THE HIAWATHA & TONTONAVA TRAILS DRAINAGE PROJECT

WHEREAS, the Borough of Medford Lakes pursuant to the NJ State Public Contract Law received the following bids for the Hiawatha & Tontonava Trails Drainage Project on Wednesday, August 18, 2010:

Mac-Rose Contractors, Inc.	\$169,219.00
Giberson Plumbing and Excavating	\$171,299.00
Glenside Equipment	\$199,900.00
Landberg Construction	\$217,451.00
Lewandowski Construction	\$223,750.50
DiMeglio Construction	\$331,341.00; and

WHEREAS, Mac-Rose Contractors, Inc. was the lowest responsible/responsive bidder received by the Borough, with a bid in the amount of \$169,219.00; and

WHEREAS, Christopher J. Noll, PE of Environmental Resolutions, Inc, Hiawatha & Tontonava Trails Drainage Project Engineer recommends the bid of Mac-Rose having complied with the bid specifications; and

WHEREAS, the CFO certifies that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Medford Lakes that Mac-Rose Contractors, Inc., 85 Ridge Road, Browns Mills, NJ 08015 be and hereby is awarded a contract for Hiawatha & Tontonava Trails Drainage Project in accordance with the specifications in the bid.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract as proposed and included in the Borough's bid package and any other related document with Mac-Rose, Inc. in order to complete said Contract.

Councilman Hanold introduced resolution 147-10 for approval, seconded by Councilman Lackey.

Mayor Miller asked for Council comment, hearing none he asked for public comment, hearing none he asked for a roll call vote.

Vote to approve/adopt resolution 147-10
Yeas – Miller, Cranston, Lackey, Hanold
Nays – None
Absent - Fitzpatrick

Resolution approved/adopted

Mayor Miller asked the Clerk to read Resolution Number 148-10.

RESOLUTION NUMBER 148-10

**A RESOLUTION AUTHORIZING THE REFUND OF A DUPLICATE FIRE INSPECTION AND
EXTRANEIOUS FLOW FEE**

WHEREAS, the Fire Inspector and Wastewater Inspector had received duplicate applications for certificate of compliance at 116 Onondago Trail on July 10th; and

WHEREAS, the realtor applied for the inspections unaware that the inspections had earlier been applied for on July 9th and scheduled by the property owner; and

WHEREAS, the realtor has submitted a written letter to that fact and the Fire Inspector and Wastewater Inspector concur.

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that a refund in the amount of \$75.00 be given to Valerie Bertsch, Prudential Fox & Roach, 235 Chicagami Trail, Medford Lakes, NJ 08055.

Deputy Mayor Cranston introduced resolution 148-10 for approval, seconded by Mayor Miller.

Councilman Lackey asked if the office could create a spreadsheet for these inspections so that we don't keep having these refunds occur.

Clerk McIntosh stated that this is not a normal occurrence but steps would be taken to better track the inspections.

Mayor Miller asked for Council comment, hearing none he asked for public comment, hearing none he asked for a roll call vote.

Vote to approve/adopt resolution 148-10

Yeas – Miller, Cranston, Lackey, Hanold

Nays – None

Absent - Fitzpatrick

Resolution approved/adopted

Mayor Miller asked the Clerk to read Resolution Number 149-10.

RESOLUTION NUMBER 149-10

**A RESOLUTION RECOGNIZING UNITED STATES AIR FORCE CHIEF MASTER
SERGEANT MICHAEL ALLEN**

WHEREAS, CMSgt. Michael Allen has served his country honorably since December 1990, serving in the initial Gulf War and also additional tours in Iraq in support of Operation Iraqi Freedom; and

WHEREAS, CMSgt. Michael Allen serves with the 177th USAF Security Forces; and

WHEREAS, only one percent of the Air Force enlisted force hold the rank of Chief Master Sergeant which is the ninth and highest enlisted rank in the Air Force; and

WHEREAS, the Borough of Medford Lakes wishes to recognize and commend CMSgt. Michael Allen for his dedication, courage and service to the citizens of the United States.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that on behalf of all the citizens of Medford Lakes, the Borough Council hereby extends its deepest appreciation to Chief Master Sergeant Michael Allen for his continued service to the United States.

Deputy Mayor Cranston introduced resolution 149-10 for approval, seconded by Mayor Miller.

Clerk McIntosh stated that the airmen would be coming home Saturday, August 28th at 2:00pm. The yellow-ribbon club would be escorting him to PJ Whelihan's for the celebration.

Mayor Miller stated that he would be available and would present the framed Resolution at that time.

Mayor Miller asked for Council comment, hearing none he asked for public comment, hearing none he requested a roll call vote.

Vote to approve/adopt resolution 149-10
Yeas – Miller, Cranston, Lackey, Hanold
Nays – None
Absent – Fitzpatrick
Resolution approved/adopted

REPORTS

Manager Horner-Keizer provided Council with a written report.

Deputy Manager/ Clerk McIntosh provided Council with a written report and stated that he had received the final results from the GovDeals.com auction and the total was \$11,782.35.

Solicitor Lange stated that he is currently working on various agreements and Ordinances.

OLD BUSINESS

Mayor Miller noted that there was none.

NEW BUSINESS

Mayor Miller noted that there was none.

CORRESPONDENCE

Mayor Miller noted that there was none.

BILL LIST

Clerk McIntosh stated that one bill was on the list for payment. The bill was for the fire engine that was expected to be delivered in advance of the original delivery date and prior to the next normal bill payment Council meeting.

Manager Horner-Keizer stated that the engine had been inspected by herself, the Deputy Manager and the Fire Department Chief and Deputy Chief and was approved for delivery.

Deputy Mayor Cranston introduced the bill list, seconded by Mayor Miller

Vote to approve bills

Yeas – Miller, Cranston, Lackey, Hanold

Nays – None

Absent – Fitzpatrick

Bills approved

PUBLIC COMMENT #2

Mayor Miller opened the meeting for public comment.

Pete Rogers of 156 Apache Trail asked about the invasion of Tent caterpillars in the area and if anything could be done to deal with them.

Manager Horner – Keizer stated that she would contact the Rutgers Agricultural Extension and get advice which she will forward Mr. Rogers, the Colony News, the Garden Club and Environmental Commission.

Joe Aromando of 285 Shingowack Trail asked when the two (2) agreements (Evesham & Medford's) would be available for public view. He also was concerned that agreements aren't fully vetted and sometimes are signed with corrections being required afterwards.

Mayor Miller stated that he will look into these concerns.

Mayor Miller closed public comment.

Mayor Miller motioned to exit the regular meeting and enter into a Closed/Executive Session, seconded by Councilman Lackey

RESOLUTION NUMBER 74-10

A RESOLUTION EXCLUDING THE PUBLIC FROM A PUBLIC MEETING

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act" states that except as provided by Section 7.a, all meetings of a public body, such as the Borough Council, shall be open to the public at all times: and,

WHEREAS, Section 7.b provides that the Borough Council may exclude the public only from the portion of a meeting at which Borough Council discusses certain subjects which are listed in the aforementioned Section; and,

WHEREAS, the Borough Council desires to discuss certain subject(s) which are listed in the aforementioned section and desires to exclude the public from the portion of the meeting at which the Borough Council will discuss said subject(s); and,

WHEREAS, Section 8 of Chapter 231, Public Law 1975 states that no public body shall exclude the public from any meeting to discuss any matter described in Section 7.b until the public body shall, at a meeting to which the public shall be admitted, first adopt a resolution making certain statements with respect to the subject(s) to be discussed;

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

1. That the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session as follows:

- *Revaluation Contract – Potential Litigation*

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

3. 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.

Vote on Resolution Number 150-10

Yeas – Miller, Cranston, Lackey, Hanold

Nays – None

Absent – Fitzpatrick

Motion approved

EXECUTIVE SESSION

Mayor Miller motioned to re-enter the regular meeting and then adjourn the regular meeting, seconded by Councilman Lackey

Vote to Re-enter/Adjourn

Yeas – Miller, Cranston, Lackey, Hanold

Nays – None

Absent – Fitzpatrick

Meeting Adjourned