

BOROUGH OF MEDFORD LAKES, NEW JERSEY

REGULAR MEETING

MARCH 30, 2011

A Regular 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 7:00pm. 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 rescheduled meeting had been provided to the Central Record, Burlington County Times and posted on the official website and 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, Councilman Robert D. Hanold, Sr. and Councilman Jeffrey Fitzpatrick answered in attendance. Also present were Manager Julie Horner-Keizer, Deputy Manager/Clerk Mark J. McIntosh, Solicitor Peter C. Lange, Jr., Police Chief Frank Martine and Borough Engineer Jeff McNesby.

EXECUTIVE SESSION

Mayor Miller introduced Resolution Number 75-11, seconded by Deputy Mayor Cranston.

RESOLUTION NUMBER 75-11

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:

- 2011 Municipal Budget – Personnel Matters

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 ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X		X			
Deputy Mayor Thomas J. Cranston		X	X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Mayor Miller stated that Resolution Number 75-11 was adopted at 6:00pm on this date allowing Council to enter a Closed/Executive Session to discuss the items listed therein.

RESOLUTIONS

Mayor Miller motioned to remove from the table and re-introduce Resolution Number 60-11, seconded by Deputy Mayor Cranston

RESOLUTION NUMBER 60-11

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS FOR THE TRADING POST WAY FARMERS MARKET

WHEREAS, each Saturday beginning on June 18, 2011 an ending on October 15, 2011, there will be a Farmers Market on Trading Post Way; and

WHEREAS, said Farmers Market will require closure of a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the event is to be held;

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

1. The Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e; and
2. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Trading Post Way between Stokes Road and UniShippers Entrance; and
3. The aforementioned street closing shall be between 7:30am and 1:00pm; and
4. The Farmers Market Committee shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades; and
5. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

Mayor Miller stated that through many discussions with the Farmers Market representatives and the Barber Shop representatives a compromise was worked out to allow for the Market to remain on Trading Post Trail. He stated that he was pleased that both parties were able to work on the concerns and arrive at an amicable solution.

Councilman Fitzpatrick, Councilman Lackey and Councilman Hanold expressed similar feelings.

Mayor Miller opened the floor to public discussion on the Resolution.

Breelynn Griffith of 5 Trading Post Way stated that she appreciated the one to one contact with the market and that both entities can grow together.

Mansur Seer of 32 Trading Post Way stated that he was not fundamentally opposed to the market but supported his fellow business owners. He stated that he would withdraw his objections that he had cited in a recent letter given the apparent compromise worked out.

Brenda Kammerer of 57 Algonquin Trail stated that it was refreshing to see that a compromise had been reached and urged Council to vote to approve the Resolution.

John Tunis of 135 Meeshaway Trail stated that as the owner of 5 Trading Post Way he was concerned with the elderly customers not being able to utilize the parking areas directly in front of the barbershop.

Mayor Miller stated that issue was discussed and addressed in the compromise.

Leah Bruder of 125 Navajo Trail thanked everyone who worked to compromise and stated that the goals of the market were to support local farmers, enhance community inter-action and support the business district.

Joe Aromando of 285 Shingowack Trail asked what the compromise was and that the current land-use law doesn't support or address any type of open-air market.

Mayor Miller explained that the compromise addressed tent placement to optimize the marketing of current businesses on Trading Post way, advertising assistance for existing businesses, a community tent that would distribute flyers that will market the Trading Post Way businesses, set-up reserve parking, utilize volunteers to help

the disabled or elderly to access the businesses, overall marketing assistance for the businesses and website advertising.

Joe Aromando of 285 Shingowack Trail stated that farmers market service vehicles clog up the area.

Margo Pellegrino of 242 Chippewa Trail expressed appreciation to the Mayor for his leadership on getting the parties to a compromise and that the market is a vibrant part of a healthy community.

Shannon Higginbottom of Cheyenne's Market identified herself as a market vendor and expressed appreciation that a compromise was reached and as an owner of one of the few family farms remaining in the county, the Medford Lakes Market offered a great opportunity for them to showcase their products.

Steven Bruder of 125 Navajo Trail thanked Mayor Miller, Council and Borough Administration for diligently working on the issues and developing a compromise.

Amy Beyer of 176 Tuckerton Road stated that the rearrangement of the tents will address customer flow and thanked Mayor, Council, Administration, Trading Post businesses and the residents for their interest in supporting the Market and working out a compromise.

Jodie Wiker of 7 Trading Post Way identified herself as a business owner who supports the market and if her business could be of assistance with any of their logistical needs she would be willing to help.

Mansur Seer of 32 Trading Post Way expressed his disappointment in the lack of communication to all of the businesses.

Mayor Miller closed public comment and asked for a roll call vote.

Deputy Mayor Cranston stated that he was conflicted and would abstain from the vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X		X			
Deputy Mayor Thomas J. Cranston		X				X
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Mayor Miller introduced Resolution Number 73-11, seconded by Deputy Mayor Cranston

RESOLUTION NUMBER 73-11

A RESOLUTION INTRODUCING AND APPROVING THE 2011 MUNICIPAL BUDGET (FIRST READING)

WHEREAS, the Municipal Budget of the Borough of Medford Lakes, County of Burlington for the year 2011 is hereby introduced; and

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2011; and

BE IT FURTHER RESOLVED, that said Budget be published in summary form in the Central Record in the issue of April 7, 2011; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Governing Body of the Borough of Medford lakes, County of Burlington, State of New Jersey:

1. Does hereby approve the following as the Budget for the Year 2011.
2. Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, on March 30, 2011.
3. A hearing on the Budget and Tax Resolution will be held at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ in Oaks Hall on April 27, 2011 at 7:00PM at which time and place objections to said Budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons.

Mayor Miller explained that the introduced budget did not increase the local purpose tax and even included a slight reduction. He explained that Council can only manage the local purpose tax which represents roughly only a quarter of the overall tax bill. He stated that this zero increase budget was due to department heads cutting costs and running their departments more efficiently. He further stated that Deputy Mayor Cranston's financial background and that of the Borough Administration enabled the budget to remain flat and yet keep providing the same services.

Councilman Hanold stated that all of the departments worked very hard in 2010 to control spending.

Councilman Lackey stated that many area newspaper articles were filled with towns discussing the need to increase taxes yet the Borough was able to cut costs even without a labor force reduction.

Councilman Fitzpatrick expressed his appreciation to concessions made by the employee unions.

Deputy Mayor Cranston stated that Council worked very hard with management to deliver this fiscally responsible budget.

Mayor Miller stated that a public hearing on the budget was scheduled for the April 27, 2011 Council Meeting at 7:00pm in Oaks Hall.

Mayor Miller asked for a roll-call vote.

VOTE ON INTRODUCTION/APPROVAL

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X		X			
Deputy Mayor Thomas J. Cranston		X	X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Mayor Miller introduced Resolution Number 74-11, seconded by Councilman Lackey

RESOLUTION NUMBER 74-11

A RESOLUTION APPOINTING SONJA HARDWICK AS CHAIRPERSON OF THE MUNICIPAL ALLIANCE

WHEREAS, the Medford Lakes Municipal Alliance Plan is for community alcohol and drug prevention programs; and

WHEREAS, the plan is partially funded through a grant by the Governor’s Council on Alcoholism and Drug Abuse; and

WHEREAS, the local administration of the plan requires a chairperson to be appointed by the Mayor; and

WHEREAS, Sonja Hardwick has been a member of the Municipal Alliance Committee and is qualified to fill the duties of this position.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby supports the Mayor’s appointment of Sonja Hardwick as Municipal Alliance Chairperson.

Mayor Miller stated that volunteers were needed to support this important committee.

Margo Pellegrino of 242 Chippewa Trail stated that she would be interested in helping.

Mayor Miller stated that he would abstain from the vote due to a work conflict and called for a roll call vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X					X
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey		X	X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

MINUTES

Mayor Miller motioned for approval/adoption of the March 9, 2011 executive/closed session meeting minutes, seconded by Deputy Manager Cranston.

Vote to approve/adopt

Yeas – Miller, Cranston, Hanold, Lackey, Fitzpatrick

Nays – None

Minutes approved/adopted

Mayor Miller motioned for approval/adoption of the March 9, 2011 regular meeting minutes, seconded by Deputy Manager Cranston.

Councilman Lackey stated that the lake lowering issues raised at the March 9, 2011 meeting were discussed at a joint Borough and Colony meeting.

Vote to approve/adopt

Yeas – Miller, Cranston, Hanold, Lackey, Fitzpatrick

Nays – None

Minutes approved/adopted

ORDINANCES

Deputy Mayor Cranston introduced Ordinance Number 586 for adoption, seconded by Councilman Fitzpatrick

ORDINANCE NUMBER 586

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEES AND OFFICERS OF THE BOROUGH OF MEDFORD LAKES AND SPECIFYING THE METHOD OF PAYMENT THEREOF

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes in the County of Burlington, New Jersey that:

Section 1. The attached salary guide as designated herein is fixed on an annual basis respective to the position listed below. All employees may be paid bi-weekly, monthly or quarterly, as directed by the Borough Manager.

Overtime compensation for hours worked in excess of the regular workweek (40 hours) shall be at time and one-half rate.

Section 2. The rates of salaries stated herein are the rates and ranges. Employees may be paid up to these ranges at the discretion of the Municipal Manager. Members of the Police Department and Wastewater Teamsters Local 676 salaries are established in accordance with the agreement made between the Borough of Medford Lakes and the Medford Lakes Police Officers Association, Superior Officers Association and Teamsters Local 676. Such compensation however, shall not be less that permitted by applicable State and Federal Law.

Section 3. The Manager, at his/her discretion, can hire replacement employees up to and including the present maximum rates as set forth in this Ordinance.

Section 5. The salaries fixed by this Ordinance shall respectively in lieu of any and all fees which the respective incumbents of said office might otherwise be entitled by Statute or otherwise by virtue of said office, which fees shall immediately upon collection thereof be paid over to the Chief Finance Officer of the Borough.

Section 6. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately upon its final adoption and publication according to law.

Title		Minimum		Maximum		
Mayor and Borough Council		\$1.00		\$1,700.00		
Municipal Manager		\$5,000.00		\$75,000.00		
Deputy Municipal Manager		\$5,000.00		\$25,000.00		
Municipal Clerk		\$5,000.00		\$50,000.00		
Deputy Clerk		\$1.00		\$15,000.00		
Chief Financial Officer		\$5,000.00		\$43,000.00		
Deputy Treasurer		\$1.00		\$15,000.00		
Clerical Staff (full or part time)		\$1,000.00		\$30,000.00		
Clerical Staff (hourly)		\$10.00	per hour	\$20.00	per hour	
Recording Secretary		\$50.00	per meeting	\$125.00	per meeting	
Tax Assessor		\$5,000.00		\$20,000.00		
Tax Collector		\$5,000.00		\$25,000.00		
Sewer Collector		\$5,000.00		\$25,000.00		
Recycling Coordinator		\$1,000.00		\$5,000.00		
Safety Coordinator		\$1,000.00		\$5,000.00		
Secretary to Board		\$1,000.00		\$6,000.00		
Rabies Clinic Assistants		\$75.00	per clinic	\$125.00	per clinic	
Municipal Sound Recorder		\$25.00	per court	\$50.00	per court	
Municipal Court Administrator		\$10.00	per hour	\$20.00	per hour	
Deputy Court Administrator		\$100.00	per court	\$100.00	per court	
Deputy Court Administrator (on-call)		\$10.00	per call	\$15.00	per call	
Municipal Judge		\$500.00		\$15,000.00		
Police Chief		\$60,000.00		\$110,000.00		
Police Lieutenant		\$50,000.00		\$98,000.00		
Police Sergeant		\$40,000.00		\$84,000.00		
Police Corporal		\$40,000.00		\$73,000.00		
Police Officer 2nd -8th Year		\$30,000.00		\$71,000.00		
Police Officer Academy & Field Trained		\$25,000.00		\$44,000.00		
Police Officer Untrained		\$25,000.00		\$33,596.00		
Crossing Guards		\$8.00	per hour	\$16.00	per hour	
Special Police		\$12.00	per hour	\$20.00	per hour	
Police Secretary		\$500.00		\$45,000		
Construction Official		\$1,000.00		\$15,000.00		
Sub code Officials		\$500.00		\$5,500.00		
		\$10.00	per inspection	\$25.00	per inspection	
Code Enforcement		\$1,000.00		\$11,000.00		
Deputy Code Enforcement		\$500.00		\$5,000.00		
Zoning Officer		\$500.00		\$5,000.00		
Deputy Zoning Officer		\$250.00		\$2,500.00		
Emergency Management Coordinator		\$500.00		\$5,000.00		

Emergency Management Coordinator during Emergency		\$20.00	per hour	\$40.00	per hour	not to exceed 100 hours
Deputy Emergency Management Coordinator		\$250.00		\$2,500.00		
Deputy Emergency Management Coordinator during Emergency		\$20.00	per hour	\$40.00	per hour	not to exceed 100 hours
Fire Official		\$1,500.00		\$6,000.00		
Fire Inspector		\$500.00		\$2,500.00		
Fire Administrator		\$500.00		\$7,500.00		
Borough Engineer/Superintendent of Public Works		\$15,000.00		\$55,000.00		
Borough Engineer/Superintendent of Wastewater		\$15,000.00		\$55,000.00		
Public Works Assistant Superintendent		\$5,000.00		\$60,000.00		
Public Works Foreman		\$15.00	per hour	\$30.00	per hour	
Public Works Laborer		\$8.00	per hour	\$25.00	per hour	
Mechanic		\$8.00	per hour	\$20.00	per hour	
Wastewater Laborers		\$8.00	per hour	\$25.00	per hour	
Wastewater Operator Assistant		\$8.00	per hour	\$22.00	per hour	
Wastewater Operator		\$15.00	per hour	\$40.00	per hour	

Clerk McIntosh provided a synopsis of the Ordinance.

Mayor Miller opened the public hearing on the Ordinance.

Joe Aromando of 285 Shingowack Trail expressed concern with the maximum amounts in the scale. He stated that he opposes passing of the Ordinance as presented. He would like to see Council determine the hours required for each position then set truer minimum and maximum rates. He stated that the Borough used to run the town with one person and now there are deputies, assistants, etc.

Robert McGowan of 18 Cochise Circle asked that Council take into consideration what Mr. Aromando said and that he too felt that some of the maximum pay rates were high.

Manager Horner – Keizer explained the pay ranges and that the Salary Ordinance is a tool that allows flexibility in managing Borough operations. She further stated that Council has discretion on salaries and that changes to Ordinances come with a cost and this Ordinance allows for changes in personnel.

Council stated that some positions are split and setting ranges are common. They all agreed that flexibility in a salary Ordinance is a key management tool.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller			X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick		X	X			

RESOLUTIONS

Councilman Hanold motioned to introduce Resolution Number 64-11, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 64-11

A RESOLUTION APPOINTING A BOROUGH PROSECUTOR

WHEREAS, the Borough of Medford Lakes has a need to acquire a Prosecutor; 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, the anticipated term of this contract is nine (9) months; and

WHEREAS, Mark Tarantino, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Mark Tarantino, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Mark Tarantino, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that a professional services contract for "Borough Prosecutor" is awarded to:

1. Mark Tarantino, Esq., 37 Grant Street, Mt. Holly, New Jersey 08060.
2. The agreed to contract attached shall be for the period of 4/1/11 to 12/31/11.
3. The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.
4. The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

BE IT FURTHER RESOLVED that any Attorney practicing as a Municipal Prosecutor in the County is authorized to substitute prosecute in the event of a prosecutors scheduling problem. The substitution provision of this resolution shall not be deemed to authorize additional payment or to increase the prosecutor position line item.

Mayor Miller asked for comments, hearing none he requested a roll call vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller			X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick		X	X			

Deputy Mayor Cranston motioned introduction of Resolution Number 65-11, seconded by Mayor Miller.

RESOLUTION NUMBER 65-11

RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING A HEALTH REIMBURSEMENT PLAN

WHEREAS, the Borough wished to establish the Borough of Medford Lakes Health Reimbursement Arrangement (the "Plan") as set forth in the attached plan document, effective April 1, 2011 for the benefit of its eligible employees.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council hereby authorizes the Borough to adopt the Plan, as attached hereto, effective April 1, 2011.

Mayor Miller asked for comment.

Councilman Fitzpatrick stated that Council had thoroughly reviewed this plan in advance.

Deputy Mayor Cranston stated that the Administration Committee worked very hard to develop a fair program for the employees and the taxpayers.

Mayor Miller called for a roll-call vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller		X	X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Deputy Mayor Cranston motioned introduction of Resolution Number 66-11, seconded by Mayor Miller.

RESOLUTION NUMBER 66-11

A RESOLUTION APPROVING THE PLANNING BOARDS UPDATED VARIANCE APPLICATION

WHEREAS, the Planning Board has reviewed their existing variance application; and

WHEREAS, the Planning Board has made updates to the application to include a lot coverage worksheet attached hereto; and

WHEREAS, the Planning Board requests Borough Council approval to add the lot coverage worksheet to the previously approved variance application.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that they hereby approve the addition of the lot coverage worksheet and direct that it become a part of the Official Planning Board Variance Application.

Mayor Miller asked for comment.

Councilman Lackey asked if there had been an increase in variance applications due to the lot coverage Ordinance.

Deputy Mayor Cranston stated that he was unaware of exact numbers.

Joe Aromando of 285 Shingowack Trail (Planning/Zoning Board Member) stated that there was not enough data to provide Council with information regarding any increases caused by the lot coverage Ordinance. He further questioned the legalities of this form being adopted by Resolution or Ordinance.

Solicitor Lange explained that the Land Use Board checklist is adopted by Ordinance but this worksheet is just an additional item in the application packet and can be adopted by Resolution.

Mayor Miller requested a roll-call vote to table Resolution Number 66-11

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller		X	X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Deputy Mayor Cranston motioned introduction of Resolution Number 67-11, seconded by Mayor Miller.

RESOLUTION NUMBER 67-11

A RESOLUTION TO APPROVE A TEMPORARY BUDGET APPROPRIATION IN ACCORDANCE WITH NJSA 40A:4-19.1

WHEREAS, the Director of the Division of Local Government Services has extended the time period for which municipal budgets should be adopted; and

WHEREAS, due to the delay in the introduction and adoption of the 2011 budget, it is necessary to extend the temporary budget to provide for adequate funding to continue municipal operations for the safety, health and welfare of the residents of the Borough of Medford Lakes, and

WHEREAS, N.J.S.A. 40A:19.1 authorizes such appropriation under these circumstances.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, that the temporary budget for the current fund is hereby extended to equal 1/12 of the 2010 adopted budget, or \$354,478.83.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, that the temporary budget for the Waste Water Utility is hereby extended to equal 1/12 of the 2010 adopted budget, or \$104,689.48.

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

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller		X	X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Councilman Fitzpatrick motioned introduction of Resolution Number 68-11, seconded by Councilman Hanold

RESOLUTION NUMBER 68 -11

A RESOLUTION AMENDING RESOLUTION NUMBER 43-11, A RESOLUTION APPOINTING A FIRE OFFICIAL FOR 2011

WHEREAS, N.J.A.C. 5:71 – 3.2 (a) provides for the certification and appointment of a Fire Official; and

WHEREAS, N.J.A.C. 5:71 – 3.2 (a) requires that Fire Officials be certified by the State of New Jersey; and

WHEREAS, N.J.A.C. 5:71 – 3.2 (a) outlines the duties of the Fire Official including the inspection of life hazard uses.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that Clarence B. Wingert, Fire Official #116008 is hereby appointed as the Fire Official for calendar year 2011.

Clerk McIntosh explained that the incorrect NJ Administrative Code reference was incorrect in Resolution Number 43 and a change was requested by the NJ Division of Fire Safety.

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

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller			X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.		X	X			
Councilman Jeffrey Fitzpatrick	X		X			

Councilman Hanold motioned introduction of Resolution Number 69-11, seconded by Councilman Lackey.

RESOLUTION NUMBER 69-11

A RESOLUTION APPOINTING A MUNICIPAL ENGINEER

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Engineer to perform Engineering services for the Borough in connection with Roadway, Dams and Drainage issues; and

WHEREAS, the Municipal Engineer will also serve in the capacity of Superintendent of Public Works and Superintendent of Wastewater; and

WHEREAS, Jeffrey K. McNesby has received certification from the State of New Jersey Board of Professional Engineers and Land Surveyors.

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

1. That Jeffrey K. McNesby, PE, is hereby appointed Engineer for the Borough of Medford Lakes.
2. The salary for this position shall be set by ordinance.

Mayor Miller congratulated Engineer McNesby then asked for comment, hearing none he asked for a roll call vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller			X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey		X	X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick			X			

Mayor Miller motioned introduction of Resolution Number 70-11, seconded by Councilman Lackey.

RESOLUTION NUMBER 70-11

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON-PREMISE 50/50 RAFFLE) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.

WHEREAS, the MEDFORD LAKES EDUCATION FOUNDATION, INC. has qualified in the prescribed manner and submitted an application to hold an On-Premise 50/50 Raffle on May 12, 2011, May 14, 2011 and May 21, 2011; and

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

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

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

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X		X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey		X	X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Councilman Fitzpatrick motioned introduction of Resolution Number 71-11, seconded by Councilman Hanold.

RESOLUTION NUMBER 71-11

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS IN SUPPORT OF A BLOCK PARTY FOR THE MEDFORD SCHOOL OF MUSIC

WHEREAS, on April 15, 2011, the Medford School of Music would like to hold a block party; and

WHEREAS, said business would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

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

1. The Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e.
2. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Trading Post Way between Stokes Road and the entrance of PJ Whelihan's

3. The aforementioned street closing shall be between 6:00pm and 8:00pm on the dates listed above.
4. Block party contact person #1 is Medford School of Music, 3B Trading Post Way, (609) 975-8286, and contact person #2 is Jim and Michelle Riddle, (609) 922-5542, Pemberton, NJ, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades.
5. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

Mayor Miller asked for comment.

Deputy Mayor Cranston asked if any notices had been provided to the other businesses regarding this Resolution.

Manager Horner – Keizer stated that in the future a notification process would be utilized as part of the application process.

Councilman Hanold stated that each applicant should sign a hold-harmless agreement and provide the Borough with an insurance binder.

Council agreed that in the future the applicant shall provide notification to any affected businesses and police input regarding public safety issues would be required.

Chief Martine stated that he has not had any public safety issues at previous events and would support better communication between all parties.

Mayor Miller motioned to amend the Resolution to strike all dates but the April 15, 2011 request, seconded by Deputy Mayor Cranston.

Mayor Miller asked that administration follow-up with the applicant regarding the future dates and the additional requirements authorized by Council.

Rudy Levak of 77 Onodago Trail stated that requests should go to all affected parties.

Joe Aromando of 285 Shingowack Trail stated that the Resolution itself could be used as a notice to the affected parties.

Mayor Miller asked for a roll call vote.

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller	X		X			
Deputy Mayor Thomas J. Cranston		X				X
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

Deputy Mayor Cranston motioned introduction of Resolution Number 72-11, seconded by Mayor Miller.

RESOLUTION NUMBER 72-11

A RESOLUTION AUTHORIZING THE REFUND OF TWO ANIMAL LICENSE OVERPAYMENTS

WHEREAS, a refund is due to two licensees for an overpayment of animal licenses.

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that a check representing the overpayment amount of \$10.00 is authorized to each of the following licensees:

1. Christine Black, 210 Hunters Road, Medford Lakes, NJ 08055
Check #2130, \$18.20, License # D11-312

2. Tina & Ryan Wilt, 10 Omaha Trail, Medford Lakes, NJ 08055
Check #140, \$36.40, License #'s D11-314 & D11-315

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

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller		X	X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

REPORTS

Manager Horner-Keizer submitted a written report and discussed the application available for the CDBG Grant.

Council authorized the Manager to apply for the grant.

Deputy Manager/ Clerk McIntosh submitted a written report and reported on submission of the FEMA Project Worksheets for the Emergency Snow Storm (DR – 1954 – NJ). The total project is for \$10, 730.74. The Borough will receive 75% or \$8,048.05. He also reported on the status of the www.GovDeal.com auction items.

Solicitor Lange stated that he is working on the gas line issues.

OLD BUSINESS

Council discussed the draft Underground Storage Tank (UST) Ordinance.

Deputy Mayor Cranston stated that the Planning/Zoning Board had diligently worked on creating this draft and thanked member Joe Aromando for his efforts on the Planning/Zoning Board's sub-committee on developing the draft.

Solicitor Lange stated that he received the informal referral from the Planning/Zoning Board attorney and asked Council to review and provide comments. He expressed concern over the draft and stated that the draft is very different from the previous drafts and discussions by Council.

Joe Aromando of 285 Shingowack Trail (Planning/Zoning Board member) explained the Ordinance and asked that he be copied on the concerns expressed by the Solicitor.

CORRESPONDENCE

Mayor Miller read a letter of appreciation from the owners of a residence on Setauket Trail regarding their recent house fire.

Council discussed a request from a resident asking for forgiveness of interest on a delinquent sewer fee payment.

No motion was made by Council and the request was denied.

BILL LIST

Deputy Mayor Cranston motioned for approval of the bill list, seconded by Mayor Miller.

VOTE TO APPROVE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gary A. Miller		X	X			
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gregory C. Lackey			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

PUBLIC COMMENT #2

Mayor Miller opened the meeting for public comment.

Bob McGowan of 18 Cochise Circle thanked the Mayor for his leadership and thanked Council for their discussion of the Salary Ordinance. He further stated that he was pleased to see that a compromise had been found regarding the Farmer's Market and hopes in the future the residents tone down the rhetoric regarding controversial issues.

Joe Aromando of 285 Shingowack Trail stated that he would like to see that open-air markets be addressed in the Land use Ordinance. He asked for an update on the storm-drain insert program, the video taping of the sewer collection system and expressed concern with Farmer's Market delivery vehicle parking.

Chief Martine stated that parking of the vendor vehicles is a secondary safety barrier between the public and vehicle traffic.

Engineer McNesby stated that the catch basin socks should all be installed by April 15th and that the sewer collection line videotaping has identified minimal issues and that all lines north of Tabernacle Road have been completed. He anticipates town-wide completion by June.

Hearing no further comment, Mayor Miller closed public comment.

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

Vote to Adjourn

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Meeting Adjourned