

**BOROUGH OF MEDFORD LAKES, NEW JERSEY**

**REGULAR MEETING**

**MAY 25, 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 scheduled meeting had been provided to the Central Record, Burlington County Times, Courier Post 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.

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**ROLL CALL**

Clerk McIntosh called roll. Mayor Gary A. Miller, Deputy Mayor Thomas J. Cranston, Councilman Robert D. Hanold, Sr. and Councilman Jeffrey Fitzpatrick answered in attendance. Councilman Lackey had notified the Clerk prior to the meeting that he would be absent. Also present were Manager Julie Horner-Keizer, Deputy Manager/Clerk Mark J. McIntosh and Solicitor Peter C. Lange, Jr.

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**SPECIAL PRESENTATION**

Mayor Miller presented a United States Flag that was received from MSG Nicholas A. D'Alessandro, Jr., a Borough resident serving our country in the military. A certificate accompanied the flag and Mayor Miller read the following into the record:

*Operation New Dawn  
77<sup>th</sup> Sustainment Brigade  
Special Troops Battalion*

*Protective Service Detachment*

*This Certificate is Presented To The Borough of Medford Lakes, NJ*

*This is to certify that on 20 April 2011 this American Flag was flown in the face of the enemy for seven days during our deployment in support of Operation New Dawn.*

*It was flown over our tactical Operations Center at Joint Base Balad, Iraq.*

Mayor Miller stated that the flag would be utilized on Memorial Day during the Borough's ceremony and at the rededication of Todd Memorial Circle.

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**PUBLIC COMMENT**

**Richard Thurber of 198 Chippewa Trail** expressed concern over his neighbor's recent Planning Board Variance approval. He felt that the board has a double standard for applicants and cited that one of his neighbors recently applied for a small roof over a door and was told that he needed a current survey and yet the board allowed his neighbor to provide an incorrect and outdated survey. Mr. Thurber continued to state that the owner's son has been keeping his contractor equipment at the house which is also a violation of property maintenance and zoning codes.

*Deputy Mayor Cranston provided Council with an overview of the Planning Board discussion and described requirements that the property owner will have to meet for the approval.*

*Council assured Mr. Thurber that all code and zoning issues would be addressed.*

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## MINUTES

*Mayor Miller motioned for approval/adoption of the May 11, 2011 executive/closed session meeting minutes, seconded by Deputy Mayor Cranston.*

Vote to approve/adopt

Yeas – Miller, Cranston, Hanold, Fitzpatrick

Nays – None

Absent - Lackey

Minutes approved/adopted

*Mayor Miller motioned for approval/adoption of the May 11, 2011 regular meeting minutes, seconded by Councilman Hanold.*

Vote to approve/adopt

Yeas – Miller, Cranston, Hanold, Fitzpatrick

Nays – None

Absent - Lackey

Minutes approved/adopted

*Mayor Miller motioned for approval/adoption of the May 19, 2011 special meeting minutes, seconded by Councilman Hanold.*

Vote to approve/adopt

Yeas – Miller, Cranston, Hanold, Fitzpatrick

Nays – None

Absent - Lackey

Minutes approved/adopted

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## RESOLUTIONS

*Mayor Miller motioned to introduce Resolution Number 95-11, seconded by Deputy Mayor Cranston.*

### RESOLUTION NUMBER 95-11

#### **A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES APPOINTING JODIE TERMI AS THE CERTIFIED MUNICIPAL COURT ADMINISTRATOR**

**WHEREAS**, the Borough of Medford Lakes is in need of a qualified individual to serve as a Certified Municipal Court Administrator; and

**WHEREAS**, Jodie Termi has been serving the Borough as the Acting Municipal Court Administrator; and

**WHEREAS**, the Borough has received notification from the NJ Supreme Court that Jodie Termi's application has been reviewed and has been awarded certification.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby appoints Jodie Termi as the Certified Municipal Court Administrator for the Borough of Medford Lakes.

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		X			
Deputy Mayor Thomas J. Cranston		X	X			
Councilman Gregory C. Lackey					X	
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick			X			

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Deputy Mayor Cranston motioned introduction of Resolution Number 96-11, seconded by Mayor Miller.

**RESOLUTION NUMBER 96-11**

**A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS**

**WHEREAS**, there exists outstanding checks on the balance sheet of the Borough of Medford Lakes Municipal Court; and

**WHEREAS**, the funds creating these checks have been investigated, and it has been determined these checks should be cancelled.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that the following checks in the amount of \$87.00 be and the same hereby are cancelled:

<b>CHECK #</b>	<b>DATE</b>	<b>PAYEE</b>	<b>AMOUNT</b>
<u>General Account</u>			
1434	5/10/10	Andrea Cernini	\$84.00
2009	12/13/10	Amir Stafford	\$2.00
<u>Bail Account</u>			
2018	11/8/10	Sandra Johnson	\$1.00

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			

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*Deputy Mayor Cranston motioned introduction of Resolution Number 97-11, seconded by Mayor Miller.*

**RESOLUTION NUMBER 97-11**

**A RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE AUDIT  
REPORT FOR THE PERIOD ENDING DECEMBER 31, 2010**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Clerk of the Borough of Medford Lakes as per the requirements of N.J.S.A. 40A: 5-6 and a copy has been made available to each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:2788-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed as a minimum, the section of the annual audit entitled: GENERAL COMMENTS/RECOMMENDATIONS; and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically, the sections of the Annual Audit entitled: GENERAL COMMENTS/RECOMMENDATIONS as evidenced by this resolution as a group affidavit of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the requirements of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to wit:

*R.S. 52:2788-52 - "A local official or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office."*

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Medford Lakes hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution as the required affidavit to said Board to show evidence of said compliance.

*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			

*Deputy Mayor Cranston motioned introduction of Resolution Number 98-11, seconded by Mayor Miller.*

**RESOLUTION NUMBER 98-11**

**A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ESTABLISHING A THRESHOLD LIMIT FOR FIXED ASSETS WITHIN THE BOROUGH**

**WHEREAS**, the Revision of Technical Accounting Directive No. 85-2 provides for a revised threshold limit not to exceed \$5,000 per unit, with a useful life of at least five years, for fixed assets;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that the threshold for fixed assets is set at \$5,000 per unit.

*Mayor Miller asked for comment.*

**Joe Aromando of 285 Shingowack Trail** asked if this was already being done and questioned the threshold amount.

*Manager Horner – Keizer explained that the current threshold was \$500 and the proposed amount was pursuant to Federal guidelines and recommended by the Borough Auditor's.*

*Mayor Miller requested a roll-call vote.*

**VOTE ON ADOPTION**

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

*Mayor Miller motioned introduction of Resolution Number 99-11, seconded by Deputy Mayor Cranston.*

**RESOLUTION NUMBER 99-11**

**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**, there are four vacancies on the Commission; 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 terms are for two regular members and two alternate members; and

**WHEREAS**, the Borough has received interest in filling those vacancies from four residents.

**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, 2011	December 31, 2013
Steven Bruder	Regular Member	January 1, 2011	December 31, 2013
Joe Sokolowski	Regular Member	January 1, 2011	December 31, 2013
Mike Keating	Regular Member	January 1, 2009	December 31, 2011
Bill LaFleur	Regular Member	May 25, 2011	December 31, 2012
Albert D. Horner	Regular Member	May 25, 2011	December 31, 2012
Michael P. Deely	Regular Member	January 1, 2011	December 31, 2013
Cindy Gronachan	Alternate Member 1	May 25, 2011	December 31, 2012
Ray White	Alternate Member 2	May 25, 2011	December 31, 2012

Mayor Miller asked for comment.

**Joe Aromando of 285 Shingowack Trail** questioned the number of appointments and the process for appointees.

Clerk McIntosh stated that two members had resigned creating vacancies and that the board was short an additional two members. Clerk McIntosh stated that the vacancies had been advertised in the Colony News and that this was a resolution to appoint and restate existing appointments in an effort to cleanup any discrepancies.

Mayor Miller 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			

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Councilman Hanold motioned introduction of Resolution Number 100-11, seconded by Councilman Fitzpatrick.

#### RESOLUTION NUMBER 100-11

#### A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO DISPOSE OF SURPLUS PROPERTY

**WHEREAS**, the Borough of Medford Lakes is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**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 sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Office of the Clerk of Medford Lakes.
- (2) The surplus property is as follows:
  - 1988 Grumman Fire Cat Fire Engine/pumper
  - Two (2) Amber Directional Warning Lights
  - Four (4) Ford Rims
  - Three (3) Metal VCR Lock Vehicle Boxes

- Two (2) Ford Fold Down Jump Seats
- Three (3) Radio/Siren Consoles
- Two (2) Tripod Projector Screen

- Two (2) Vector Light Bars
- Four (4) Eagle Tires with Rims
- One (1) Police Cage

The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

The Borough of Medford Lakes reserves the right to accept or reject any bid submitted.

*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			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gregory C. Lackey					X	
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick		X	X			

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#### REPORTS

*Manager Horner – Keizer submitted a written report.*

*Deputy Manager/ Clerk McIntosh submitted a written report and reported the on-line Historic Museum is up and running.*

*Solicitor Lange stated he is working on amendments to the Storm water Ordinance, he has a meeting with Burlington County Officials regarding the Ballinger Lake sidewalk, he is working with Engineer McNesby regarding sanitary sewer intrusions and he requested an Executive Session at the next meeting to discuss the ASI contract.*

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#### OLD BUSINESS

*Mayor Miller stated that with Councilman Lackey’s absence he would like to postpone discussion on the draft Underground Storage Tank Ordinance.*

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#### NEW BUSINESS

*Mayor Miller invited the Farmer’s Market representatives to discuss their shed proposal.*

Leah and Steven Bruder discussed the need for storage of tables, tents and market promotional items. Last year they utilized a trailer but it was time consuming with setup and takedown and could only be towed by their pickup truck. They hoped to be allowed to erect a shed along Aetna walkway. They looked at three options; one to rent an empty building on Trading Post (cost issues), second to purchase a trailer (moving/storage issues) and their best option was for a shed.

Council expressed concern over security, aesthetics and injury liabilities. Council felt that a trailer was the best option and that the Market could get assistance from the Department of Public Works for moving it.

The Farmer's Market thanked Council for their time and recommendation and reminded everyone that the Market's grand-opening is set for Saturday, June 18<sup>th</sup>.

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### BILL LIST

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

### VOTE TO APPROVE

	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	X			
Councilman Jeffrey Fitzpatrick			X			

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### PUBLIC COMMENT #2

Mayor Miller opened the meeting for public comment.

**Joe Aromando of 285 Shingowack Trail** asked if there was a mechanism for residents to send to the Clerk items of historic interest to get added to the on-line museum. He asked for an update on the Ballinger Sidewalk contract, an update on the sewer line CCTV and what type of final report the Borough would receive.

Clerk McIntosh stated that residents could email or drop off items for inclusion on the site.

Manager Horner – Keizer stated that Evesham MUA is working approximately three days per week and will be issuing a very comprehensive report at the conclusion of the project. She also stated that the Borough Engineer had just provided Council with a proposal to complete the Ballinger project.

Hearing no further comment, Mayor Miller closed public comment.

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

#### Vote to Adjourn

Yeas – Miller, Cranston, Hanold, Fitzpatrick

Nays – None

Absent – Lackey

Meeting Adjourned