

BOROUGH OF MEDFORD LAKES, NEW JERSEY

REGULAR MEETING (7:00pm)

October 24, 2012

A scheduled 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 Mark 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, 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 Mark McIntosh called roll. Mayor Thomas J. Cranston, Deputy Mayor Robert D. Hanold, Sr., Councilman Miller, Councilman Fitzpatrick and Councilman Robert J. Burton answered in attendance. Also present were Manager Julie Horner – Keizer, Clerk Mark J. McIntosh and Solicitor Peter C. Lange, Jr.

PUBLIC COMMENT #1

Mayor Cranston opened the meeting to public comment.

Robert McGowan of Cochise Circle asked what the plan was for the police department given the retirement of Chief Martine. He also congratulated the Borough on the recycling tonnage grant.

Mayor Cranston stated that Lieutenant Carbone was the Officer in charge and there were no coverage issues.

Steve Warren of Onondago Trail asked Council to look into a roadway safety issue at the curve where Onondago and Natchez Trail meet. He stated his concerns may get addressed with making it a right angle turn, stop signs, speed limit reduction or an adjustment to the curve size. He also asked if any grant monies were available to buy the vacant property at Stokes and Lenape Trail.

Manager Horner – Keizer stated that she would have the traffic officer investigate the roadway issue.

Mayor Cranston stated that purchasing the property would create a ratable loss and the property has potential long term environmental issues and in the past it was opposed through a referendum.

Joe Aromando of Shingowack Trail stated that grant monies would be better spent on other issues rather than purchasing any properties. He recommended using any grant monies toward the beautification of the sewer plant. He further questioned the financial obligations the Borough has with the retirement of the Police Chief. He also brought up an attendance problem with some Planning Board members and stated that public education is the key to dealing with the many zoning issues the Borough deals with.

Mayor Cranston stated that the retiring Police Chief will receive all that he is entitled to.

Steve Warren of Onondago Trail asked if the Borough has an Ordinance that addresses RV's.

Mayor Cranston stated that the Borough does and Steve should see the office staff with any concerns.

Mayor Cranston hearing no further comments closed public comment.

MINUTES

Councilman Miller introduced adoption of the September 12, 2012 Executive Session minutes, seconded by Councilman Fitzpatrick

Vote to adopt

Yeas –Cranston, Hanold, Miller, Fitzpatrick, Burton

Nays – None

Minutes Adopted

Councilman Miller introduced adoption of the October 10, 2012 Executive Session minutes, seconded by Mayor Cranston

Vote to adopt

Yeas –Cranston, Hanold, Miller, Fitzpatrick, Burton

Nays – None

Abstain - Burton

Minutes Adopted

Councilman Miller introduced adoption of the September 26, 2012 Regular Session minutes, seconded by Deputy Mayor Hanold

Vote to adopt

Yeas –Cranston, Hanold, Miller, Fitzpatrick, Burton

Nays – None

Minutes Adopted

Councilman Fitzpatrick introduced adoption of the October 10, 2012 Regular Session minutes, seconded by Councilman Miller.

Vote to adopt

Yeas –Cranston, Hanold, Miller, Fitzpatrick, Burton

Nays – None

Abstain – Hanold, Burton

Minutes Adopted

RESOLUTIONS

Councilman Miller motioned introduction of Resolution Number 132-12, seconded by Deputy Mayor Hanold.

RESOLUTION NUMBER 132-12

A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR MEDFORD LAKES ROAD RECONSTRUCTION PROJECT

WHEREAS, the New Jersey Transportation Trust Fund Authority Act provides that each community receive an annual state aid allotment for roads and bridge projects; and

WHEREAS, roadway improvements listed in Medford Lakes Road Reconstruction Project, consisting Oswego Trail from Nantucket Trail to Hiawatha Trail, Osage Trail from Hiawatha Trail to baseball field on Osage Trail, and Onondago Trail from Osage Trail to Mishemokwa Trail, have been identified as potentially eligible projects.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as the Medford Lakes Road Reconstruction Project to the New Jersey Department of Transportation on behalf of the Borough of Medford Lakes.

BE IF FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Medford Lakes and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

BE IT FURTHER RESOLVED by the Borough of Medford Lakes Council, that the Borough Engineer be authorized to complete the electronic grant application and associated documentation for submission to the New Jersey Department of Transportation for the Medford Lakes Road Reconstruction Project.

Manager Horner – Keizer explained the application process and amount.

Mayor Cranston hearing no comments called for the vote.

VOTE TO ADOPT

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

Deputy Mayor Hanold motioned introduction of Resolution Number 133-12, seconded by Councilman Miller.

RESOLUTION NUMBER 133-12

A RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO MUNICIPAL CABIN UNDERGROUND STORAGE TANK REMEDIATION

WHEREAS, the Borough of Medford Lakes has a need to acquire a Special Project Engineer; and

WHEREAS, the Borough of Medford Lakes has solicited proposals for professional services through a Fair and Open Process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Environmental Resolutions Inc. has submitted a proposal and is identified as a qualified Special Project Engineer in accordance with Borough of Medford Lakes Resolution Number 13-12 ; 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 \$8,500.00 to, Environmental Resolutions Inc., 525 Fellowship Road, Suite 300, Mt. Laurel, NJ 08054 as identified in their proposal attached hereto; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute all documents related to the award of this contract.

Manager Horner – Keizer explained the contract for closing out the UST issues at Municipal Cabin and reiterated that the award will be subject to Certification of Funds by the CFO.

Joe Aromando of Shingowack Trail expressed concern with the failure to follow up years ago when closeout of the UST's began.

Mayor Cranston hearing no further comments called for the vote.

VOTE TO ADOPT

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

REPORTS

Manager Horner – Keizer commented on the startup of leaf pickup and the status on drainage projects underway.

Clerk McIntosh submitted a written report and commented on bid openings for various wastewater goods and services and the success of the recent on-line auction.

Solicitor Lange stated he is working on various zoning issues.

Deputy Mayor Hanold asked for an update on the EMS litigation.

Solicitor Lange stated that this was an Executive Session item and not for public dissemination.

Deputy Mayor Hanold stated that the Department of Public Works completed the drainage project on Decotah Trail and passed out a memo to Council from the Wastewater Department regarding the new processes underway which will lead to a safer operation and NJ State supported.

Councilman Fitzpatrick stated that he met with the Police Department and reviewed their 2013 Budget request.

Councilman Miller stated that Special Officer Hartman would be utilized in a new public relations program within the Police Department.

Councilman Burton stated that he hasn't been able to make headway in discussions with the School Board regarding meeting nights but was pleased to have been asked to be on a committee that is charged with reviewing the district math programs.

Mayor Cranston stated that a meeting was held with Administration, Planning/Zoning, Historic and Code Enforcement to discuss improvements to existing Ordinances and interpretation. Additional meetings will be scheduled. He also reported that the 2013 Budget development was on-track.

Manager Horner – Keizer asked for dates to schedule budget workshops. Council agreed to have them on November 14th and November 28th starting at 6:00pm. Clerk was advised to notice the meetings.

OLD BUSINESS

Mayor Cranston stated that he would like additional time to review applications for vacancies on the Planning Board but would entertain discussion on the Environmental Commission vacancies.

Clerk McIntosh explained that he received one (1) application for the EC and after discussion with their chairman they would like to see the Mayor appoint Ray White from Alternate 1 to the unexpired term of Cindy Gronaghan and would like to see the sole applicant, Jim Palmer be appointed to the unexpired term of Joe Sokolowski. This action would leave two (2) vacancies in both Alternate positions. Mayor Cranston agreed with the EC request.

Mayor Cranston introduced Resolution Number 134-12, seconded by Councilman Miller.

RESOLUTION NUMBER 134-12

**A RESOLUTION MEMORIALIZING APPOINTMENTS
TO MEMBERSHIP ON THE ENVIRONMENTAL COMMISSION**

WHEREAS, the Environmental Commission has three (3) vacancy's; and

WHEREAS, the Mayor is charged with appointing the regular members to this commission and whereas the Alternate positions of the Environmental Commission are appointed by a majority vote of Council; and

WHEREAS, the Borough has received one application from an interested resident; and

WHEREAS, the Mayor would like to appoint the current Alternate I member of the Environmental Commission to fill one of the vacated Regular Member seats unexpired term (Gronachan) and would like to appoint the new applicant to the other vacated Regular Member position unexpired term (Sokolowski).

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointments by the Mayor be memorialized:

ENVIRONMENTAL COMMISSION:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Ray White	Regular Member	October 24, 2012	December 31, 2012

Mayor Cranston hearing no comments called for the vote.

VOTE TO ADOPT

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

Mayor Cranston asked that a meeting be scheduled with Alaimo Group following Pete's review of the Ballinger Walkway contract.

Deputy Mayor Hanold asked if there was an update to the possible Landscaper Adopt-a-circle Program.

Manager Horner – Keizer stated that the landscapers she spoke with seemed receptive to the idea and also were accepting of only a small recognition sign being permitted. Manager Horner – Keizer stated that recognition via other means, i.e. the website, etc. would also be used.

Mayor Cranston asked if the garden club was supportive.

Manager Horner – Keizer stated that they were and she would be developing and circulating a policy for council to review and potentially adopt.

Deputy Mayor Hanold circulated a draft Soliciting Ordinance and asked that feedback be forwarded to the Solicitor.

BILL LIST

(Dated October 23, 2012 – Total Line Items 170 – Total List Amount = \$208,733.81 with amendments addition of, \$71,767.19 payroll)

Deputy Mayor Hanold motioned for approval of the bill list as amended, seconded by Councilman Miller.

VOTE TO APPROVE

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

PUBLIC COMMENT #2

Mayor Cranston opened the meeting for public comment.

Robert McGowan of Cochise Circle asked that the Soliciting Ordinance allow for the Boy Scouts and Girl Scouts to still solicit. He asked that the Mayor stress to all Board Members the importance of maintaining a good attendance record and he asked that the Colony News be utilized to update the status on leaf collection efforts.

Steve Warren of Onondago Trail asked when the Wastewater Treatment Plant would be switching chemical processing.

Deputy Mayor Hanold stated it would be soon and probably before year-end.

Joe Aromando of Shingowack Trail asked for clarification of the pending Executive Session.

Mayor Cranston stated that he did not anticipate taking action upon conclusion of Executive Session.

Mayor Cranston closed public comment.

EXECUTIVE SESSION

Deputy Mayor Hanold introduced Resolution Number 135-12, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 135-12

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:
 - *Medford Lakes Emergency Squad – Litigation 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 TO ADOPT

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

Council reconvened the Public Meeting.

Mayor Cranston asked for a motion to adjourn.

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

Vote to adjourn

Yeas –Cranston, Hanold, Miller, Fitzpatrick, Burton

Nays – None

Meeting Adjourned