

BOROUGH OF MEDFORD LAKES, NEW JERSEY

REGULAR MEETING (7:00pm)

January 11, 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. Deputy Mayor Thomas J. Cranston, Councilman Gary A. Miller, Councilman Jeffrey Fitzpatrick and Councilman Robert D. Hanold, Sr. answered in attendance. Mayor Gregory C. Lackey had notified the Clerk prior that he would be absent. Also present were Manager Horner – Keizer and Solicitor Peter C. Lange, Jr.

EXECUTIVE SESSION (6:00pm)

Deputy Mayor Cranston motioned to enter a Closed/Executive Session seconded by Councilman Fitzpatrick to discuss Contract Matters as described herein.

RESOLUTION NUMBER 28-12

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:

- 2012 Professional Services “Risk Management Consultant” Interviews – Contract 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 Gregory C. Lackey					X	
Deputy Mayor Thomas J. Cranston	X		X			
Councilman Gary A. Miller			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick		X	X			

Deputy Mayor Cranston motioned to adjourn the Closed/Executive Session and reopen the public meeting, seconded by Councilman Fitzpatrick.

Deputy Mayor Cranston restated in public the matters discussed during the closed/executive session

PUBLIC COMMENT

Deputy Mayor Cranston opened the meeting to public comment.

Joe Aromando of Shingowack Trail stated that the consent agenda shouldn’t include any professional services contracts. He also expressed concern over the interest rates mentioned in the tax and sewer fee resolutions.

Deputy Mayor Cranston hearing no further comments closed the meeting to public comment.

MINUTES

Councilman Miller motioned for approval/adoption of the December 21, 2011 executive session meeting minutes, seconded by Deputy Mayor Cranston.

Vote to approve/adopt

Yeas –Cranston, Miller, Hanold, Fitzpatrick

Nays – None

Absent – Lackey

Executive Minutes approved/adopted

Councilman Miller motioned for approval/adoption of the December 21, 2011 regular session meeting minutes, seconded by Councilman Hanold.

Vote to approve/adopt

Yeas –Cranston, Miller, Hanold, Fitzpatrick
Nays – None
Absent – Lackey
Regular Minutes approved/adopted

ORDINANCES

Councilman Hanold moved Ordinance Number 593 on second reading, seconded by Councilman Miller.

ORDINANCE NUMBER 593

AN AMENDING ORDINANCE NUMBER 554 OF THE BOROUGH OF MEDFORD LAKES ENTITLED “AN ORDINANCE REGULATING THE USE OF DROP-OFF STORAGE CONTAINERS, TRASH DUMPSTERS, CHARITABLE CLOTHING BINS AND ROLL-OFF CONTAINERS WITHIN THE BOROUGH”

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes, in the County Of Burlington, State of New Jersey, as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to amend Ordinance Number 554 of the Borough of Medford Lakes entitled “An Ordinance regulating the use of drop-off storage containers, trash dumpsters, charitable clothing bins and roll-off containers within the borough” as follows:

SECTION 2 AMENDMENT

Section 3, Subsection I, is hereby amended as follows:

Section 3. Regulations TRASH DUMPSTERS AND ROLL-OFF CONTAINERS

I. No material may be imported into the Borough for disposal in any container permitted at a commercial or private property. All material disposed of in a permitted container must be generated pursuant to the normal and customary use of like property and be incidental to the use of the property that was issued the permit.

Effective Date. This ordinance shall become effective upon adoption and publication according to law.

Deputy Mayor Cranston opened the meeting to a Public Hearing on Ordinance 593.

Deputy Mayor Cranston upon hearing no comments closed the public hearing

VOTE ON ADOPTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey					X	
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller		X	X			

Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick			X			

Councilman Fitzpatrick introduced Ordinance Number 594, seconded by Councilman Hanold.

ORDINANCE NUMBER 594

ORDINANCE OF THE BOROUGH OF MEDFORD LAKES AMENDING CHAPTER 21 OF THE CODE OF THE BOROUGH OF MEDFORD LAKES ENTITLED "FIRE DEPARTMENT"

Chapter 21. FIRE DEPARTMENT

§ 21-1. Establishment.

There is hereby established in and for the Borough of Medford Lakes a Municipal Fire Department to be known as the "Medford Lakes Fire Department". No other fire-fighting organization is to be formed within the Borough without the consent of the Borough Council. The Fire Department hereby created must comply with all the requirements of this chapter and any rules or regulations promulgated hereunder.

§ 21-2. Officers.

The officers of the Fire Department shall consist of a Chief, such Assistant Chiefs, Captains, Lieutenants, and other line officers and members as shall be appointed by the Borough Manager as provided by law.

§ 21.3. Reports to Council.

It shall be the responsibility of the Chief of the Fire Department to make all reports to Borough Council as hereafter required by this chapter.

§ 21-4. Ownership of quarters.

The Borough of Medford Lakes shall retain ownership and control over quarters entrusted to the Fire Department.

§ 21-5. Expenses.

All expenses for the operation and maintenance of the Department shall be paid by the Borough Council in accordance with applicable state statutes.

§ 21-6. Purchasing and title of equipment.

The Borough of Medford Lakes shall retain title to all equipment purchased with funds supplied by Borough Council for the purpose of purchasing such equipment. However, nothing shall preclude donations of equipment or property to the Fire Department with approval of acceptance of the donated item from the Borough Council.

§ 21-7. Duties of Fire Chief.

- A. The Chief shall be in full command and complete control at all fires and during the period of all alarms and shall be held accountable for his/her actions to the Borough Manager and Council and shall make written and verbal reports as the Council may require. All other line officers shall be accountable to the Chief except when any of said officers are acting as Chief in his/her absence.

B. The Chief shall formulate rules and regulations to govern the operation of the Fire Department, such rules and regulations being subject to review and approval by the Borough Council, and shall be responsible to the Borough Manager and Council for the morale and general efficiency of the Fire Department.

C. The Chief or line officer designated by him/her shall, at least once a month, conduct suitable drills or instructions in the operation of fire-fighting apparatus and equipment, first aid and rescue work, salvage, a study of buildings presenting unusual fire problems, water supply and other matters generally considered essential to good fire fighting and safety of life and property from fire.

D. The Chief or any line officer designated by him/her is hereby required to report to the Borough Manager any suspected crime of arson and shall render all possible assistance to the Borough Manager and the Chief of Police in investigating the cause, origin, and circumstances of all fires of questionable origin.

E. The Chief shall cause to be kept complete records of all fires, apparatus and minor equipment, personnel and other information about the work of the Fire Department.

F. The Chief shall report monthly to the Borough Manager the number and type of fires during the month, the number and purpose of all other runs made, the number of members and man hours involved in responding to each fire or other run, and the estimated loss involved in all building fires.

G. The Chief shall make a complete annual report to the Borough Manager, such report to include information as specified in Subsection F of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the Fire Department.

H. The Chief shall be responsible to transmit to the Borough Manager, on or before October 31 of each year, a proposed annual budget.

§ 21-8. Recognized standards and practices.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I). The recognized standards and practices for the prevention of fire shall be held to mean the standard practices and requirements as set forth in the Fire Prevention Code currently in effect in the Borough.

§ 21-9. Membership.

A. Every person seeking to join the Fire Department shall make application to the Fire Department in accordance with the rules and regulations of the Fire Department. Applicants must be at least 18 years of age and must pass a physical examination by a practicing physician in the State of New Jersey. All applicants must submit to a background check. All appointments are subject to the approval of the Borough Manager. Members of the Fire Department are subject to the Borough of Medford Lakes Personnel Policies & Procedures.

B. It shall be the duty of the active members to participate in drills and instructions and to aid the Chief and the other line officers to the best of their ability in the prevention and control of fire and the protection of life and property within the Borough of Medford Lakes and wherever the Fire Department may have cause to conduct operations.

C. All members of the Fire Department shall serve without compensation.

D. An exempt firemen's certificate shall be issued by the Borough Council, in the form and manner provided by law, to all members of the Fire Department lawfully entitled to receive the same.

§ 21-10. Equipment.

A. Recommendations for the purchase of apparatus and equipment needed to maintain the effectiveness of the Fire Department and properly protect life and property from fire shall be made by the Chief to the Borough Manager.

B. All Borough equipment of the Fire Department shall be safely and conveniently housed by the Fire Department.

C. Suitable arrangements shall be provided for citizens to turn in an alarm, and for notifying members of the Fire Department so that they may promptly respond. It shall be the duty of the Chief to notify the Borough Manager of any condition that would interfere with the proper functioning of the fire alarm system. He shall cause the arrangement to be tested as required to obtain a dependable alarm service.

D. Except as may be authorized by the Borough Manager, no person shall use any fire apparatus or equipment of the Borough for any private purpose. No person shall willfully and without authority take away or conceal any article used in any way by the Fire Department.

E. No person except authorized employees of the Borough of Medford Lakes shall enter any place where fire apparatus is housed or handle any equipment belonging to the Borough unless accompanied by or having the special permission of an officer or authorized member of the Fire Department.

F. The Chief of the Fire Department is hereby authorized to extend aid to neighboring communities upon request for fire protection or to establish a mutual aid system.

G. No apparatus of the Borough shall be hired out or permitted to leave the Borough of Medford Lakes without consent of the Borough Manager, except in response to a call for aid in a neighboring community or on official business. No apparatus is to leave the Borough on official business without the consent of the Chief or highest ranking line officer available. The line officer in charge of the Fire Department shall have power to assign equipment for response to calls for outside aid in accordance with Subsection F of this section, and in other cases, only when the absence of such equipment in his/her judgment will not jeopardize fire protection in the Borough of Medford Lakes.

Effective Date. This ordinance shall become effective upon adoption and publication according to law.

Deputy Mayor stated that a Public Hearing on this Ordinance would be scheduled for the next meeting.

VOTE ON INTRODUCTION

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey					X	

Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller			X			
Councilman Robert D. Hanold, Sr.		X	X			
Councilman Jeffrey Fitzpatrick	X		X			

Councilman Fitzpatrick introduced Ordinance Number 595, seconded by Councilman Hanold.

ORDINANCE 595

**AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, NEW JERSEY ESTABLISHING THE
“MEDFORD LAKES EMERGENCY MEDICAL SERVICES DEPARTMENT”**

Emergency Medical Services Department

§ Establishment.

There is hereby established in and for the Borough of Medford Lakes a Municipal Emergency Medical Services Department to be known as the "Medford Lakes Emergency Medical Services Department". No other Emergency Medical Service organization is to be formed within the Borough without the consent of the Borough Council. The Emergency Medical Services Department hereby created must comply with all the requirements of this chapter and any rules or regulations promulgated hereunder.

§ Officers.

The officers of the Emergency Medical Services Department shall consist of an EMS Chief, such Assistant Chiefs, Captains, Lieutenants, and other line officers and members as shall be appointed by the Borough Manager as provided by law.

§ Reports to Council.

It shall be the responsibility of the Chief of the Emergency Medical Services Department to make all reports to Borough Council as hereafter required by this chapter.

§ Ownership of quarters.

The Borough of Medford Lakes shall retain ownership and control over quarters entrusted to the Emergency Medical Services Department.

§ Expenses.

All expenses for the operation and maintenance of the Department shall be paid by the Borough Council in accordance with applicable state statutes.

§ Purchasing and title of equipment.

The Borough of Medford Lakes shall retain title to all equipment purchased with funds supplied by Borough Council for the purpose of purchasing such equipment. However, nothing shall preclude donations of equipment or

property to the Emergency Medical Services Department with approval of acceptance of the donated item from the Borough Council.

§ Duties of Emergency Medical Services Chief.

A. The Chief shall be in full command and complete control at all Emergency Medical scenes and shall be held accountable for his/her actions to the Borough Manager and Council and shall make written and verbal reports as the Council may require. All other line officers shall be accountable to the Chief except when any of said officers are acting as Chief in his/her absence.

B. The Chief shall formulate rules and regulations to govern the operation of the Emergency Medical Services Department, such rules and regulations being subject to review and approval by the Borough Council, and shall be responsible to the Borough Manager and Council for the morale and general efficiency of the Emergency Medical Services Department.

C. The Chief or line officer designated by him/her shall, at least once a month, conduct suitable drills or instructions in the operation of emergency medical services, first aid and rescue work, and other matters generally considered essential to providing emergency medical services.

D. The Chief shall cause to be kept complete records of all emergency medical services calls, apparatus and minor equipment, personnel and other information about the work of the Emergency Medical Services Department.

F. The Chief shall report monthly to the Borough Manager the number and type of calls during the month, the number and purpose of all other runs made, the number of members and man hours involved in responding to each emergency medical service call or other run.

G. The Chief shall make a complete annual report to the Borough Manager, such report to include information as specified in Subsection F of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the Emergency Medical Services Department.

H. The Chief shall be responsible to transmit to the Borough Manager, on or before October 31 of each year, a proposed annual budget.

§ Membership.

A. Every person seeking to join the Emergency Medical Services Department shall make application to the Emergency Medical Services Department in accordance with the rules and regulations of the Emergency Medical Services Department. Applicants must be at least 18 years of age and must pass a physical examination by a practicing physician in the State of New Jersey. All applicants must submit to a background check. All appointments are subject to the approval of the Borough Manager. Members of the Emergency Medical Services Department are subject to the Borough of Medford Lakes Personnel Policies & Procedures Manual.

B. It shall be the duty of the active members to participate in drills and instructions and to aid the Chief and the other line officers to the best of their ability in the providing of emergency medical services within the Borough of Medford Lakes and wherever the Emergency Medical Services Department may have cause to conduct operations.

§ Equipment.

A. Recommendations for the purchase of apparatus and equipment needed to maintain the effectiveness of the Emergency Medical Services Department shall be made by the Chief to the Borough Manager.

B. All Borough equipment of the Emergency Medical Services Department shall be safely and conveniently housed by the Emergency Medical Services Department.

C. Suitable arrangements shall be provided for citizens to turn in an alarm, and for notifying members of the Emergency Medical Services Department so that they may promptly respond.

D. Except as may be authorized by the Borough Manager, no person shall use any emergency medical services apparatus or equipment of the Borough for any private purpose. No person shall willfully and without authority take away or conceal any article used in any way by the Emergency Medical Services Department.

E. No person except authorized employees of the Borough of Medford Lakes shall enter any place where emergency medical services equipment is housed or handle any equipment belonging to the Borough unless accompanied by or having the special permission of an officer or authorized member of the Emergency Medical Services Department.

F. The Chief of the Emergency Medical Services Department is hereby authorized to extend aid to neighboring communities upon request for emergency medical services or to establish a mutual aid system.

G. No apparatus of the Borough shall be hired out or permitted to leave the Borough of Medford Lakes without consent of the Borough Manager, except in response to a call for aid in a neighboring community or on official business. No apparatus is to leave the Borough on official business without the consent of the Chief or highest ranking line officer available. The line officer in charge of the Emergency Medical Services Department shall have power to assign equipment for response to calls for outside aid in accordance with Subsection F of this section, and in other cases, only when the absence of such equipment in his/her judgment will not jeopardize EMS protection in the Borough of Medford Lakes.

Effective Date. This ordinance shall become effective upon adoption and publication according to law.

Deputy Mayor stated that a Public Hearing on this Ordinance would be scheduled for the next meeting.

VOTE ON INTRODUCTION

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

CONSENT AGENDA RESOLUTIONS

Councilman Miller motioned approval of the consent agenda Resolutions Numbered 01-12 to 01-20, seconded by Deputy Mayor Cranston.

RESOLUTION NUMBER 01-12

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 requires the Governing Body to make appropriations to provide for the period between January 1, 2012 and the adoption of the Budget; and,

WHEREAS, The total appropriation shall not exceed 26.25 % of the total of the appropriations for the preceding fiscal year, less the appropriations for interest and debt redemption charges capital improvement fund and public assistance. Amount allowable for the Current Fund is \$896,647.00 and the amount for the Wastewater Utility Operating Fund is \$ 237,720.00.

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 appropriations constitute the 2012 Temporary Budget for the Borough of Medford Lakes:

<u>APPROPRIATION</u>	<u>AMOUNT</u>
ADMINISTRATION & EXECUTIVE	
Salaries & Wages.....	\$23,000.00
Other Expenses ..	\$4,300.00
MAYOR & COUNCIL	
Other Expenses .	\$200.00
CLERK	
Salaries and Wages	\$6,875.00
Other Expenses .	\$4,900.00
FINANCE ADMINISTRATION	
Salaries and Wages	\$7,300.00
Other Expenses ..	\$700.00
AUDIT	
Other Expenses ..	\$11,000.00
DATA PROCESSING	
Other Expenses ..	\$5,000.00
COLLECTION OF TAXES	
Salaries and Expenses.....	\$6,000.00
Other Expenses ..	\$1,000.00

ASSESSMENT OF TAXES

Other Expenses \$4,500.00

LEGAL SERVICES

Other expenses \$10,000.00

ENGINEERING SERVICES

Other Expenses \$1,500.00

HISTORIC

Salaries and Wages \$900.00

Other Expense..... \$50.00

PLANNING BOARD

Salaries and Wages \$1,400.00

Other Expenses \$1,500.00

UNEMPLOYMENT \$1,000.00

POLICE

Salaries and Wages \$180,000.00

Other Expenses \$8,000.00

OEM

Salaries and Wages \$1,200.00

Other Expenses \$200.00

Contribution to First Aid Organization..... \$ 3,125.00

FIRE

Other Expenses \$13,400.00

FIRE OFFICIAL

Salaries and Wages \$3,000.00

Other Expenses \$500.00

PROSECUTOR

Other Expenses \$1,575.00

STREETS AND ROADS

Salaries and Wages \$88,000.00

Other Expenses \$16,300.00

SOLID WASTE

Salaries and Wages \$15,000.00

Other Expenses \$14,800.00

BUILDINGS	
Other Expenses ..	\$5,450.00
VEHICLE	
Other Expenses ..	\$16,100.00
ENVIRONMENTAL	
Salaries and Wages ..	\$925.00
ELECTRICITY ..	\$7,700.00
STREET LIGHTS ..	\$2,400.00
TELEPHONE ..	\$3,000.00
NATURAL GAS ..	\$4,000.00
GASOLINE ..	\$15,000.00
PRINTING ..	\$2,000.00
LANDFILL.....	\$37,800.00
CONSTRUCTION CODE OFFICIAL	
Salaries and Wages ..	\$8,000.00
Other Expenses ..	\$8,000.00
ZONING CODE ENFORCEMENT	
Salaries and Wages ..	\$2,700.00
Other Expenses ..	\$100.00
OASI.....	\$30,000.00
MUNICIPAL COURT	
Salaries and Wages.....	\$8,000.00
Other Expenses ..	\$1,700.00
LIABILITY INSURANCE.....	\$115,000.00
INSURANCE	
Group Insurance for Employees ..	\$100,000.00
DEFINED CONTR RETIREMENT FUND ..	\$425.00
BOND PRINCIPAL ..	\$ 0
BOND INTEREST ..	\$ 0
BAN PAYMENT ..	\$ 0

TOTAL \$ 804,525.00

WASTEWATER UTILITY

Salaries and Wages	\$ 75,000.00
Other Expenses ..	\$ 146,000.00
Capital Fund.....	\$.00
Bond Principal ..	\$.00
Bond Interest.....	\$.00
OASI.....	\$10,000.00
Unemployment Compensation.....	\$500.00

TOTAL \$ 231,500.00

RESOLUTION NUMBER 02-12

RESOLUTION APPROPRIATING TEMPORARY DEBT SERVICE BUDGET FOR THE YEAR 2012

WHEREAS, NJSA40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2012 to March 31, 2012, inclusive, on sundry bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, that the following appropriation be made to cover the period from January 1, 2012 to March 31, 2012.

DEBT SERVICE – Current Fund:

Interest on bonds – due 2/15/12	\$ 17,000.00
Debt due on Upper Aetna Damn Loan	143,315.85
Debt due on Lower Aetna Damn Loan	125,434.47

DEBT SERVICE – Waste Water:

Interest on Bonds – due 1/1/12	\$ 9,000.00
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BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Division of Local Government Services with a copy to the Chief Financial Officer

RESOLUTION NUMBER 3-12

RESOLUTION APPOINTING THE BOROUGH CLERK AS

AMERICANS WITH DISABILITIES COORDINATOR

WHEREAS, every municipality is required to designate an ADA Coordinator; and

WHEREAS, the ADA Coordinator's role is to ensure compliance with the Americans with Disabilities Act.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby appoints the Borough Clerk as ADA Coordinator for the Borough of Medford Lakes for year 2012.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION NUMBER 4-12

A RESOLUTION AUTHORIZING THE ASSESSOR TO EXECUTE STIPULATIONS OF SETTLEMENT AND FILE ASSESSOR APPEALS.

WHEREAS, Statutory provision is made for the review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the Tax Rate; and

WHEREAS, changes in property ownership at times necessitates adjustment to the Veteran and/or Senior Citizens deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Assessor subject to Laws and Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council, County of Burlington, State of New Jersey, that the Assessor, fulfilling the duties and requirements of his office, be authorized to file with the Burlington County Board of Taxation such Appeals as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Medford Lakes.

BE IT FURTHER RESOLVED, that the Assessor is hereby authorized to execute stipulations of settlement on behalf of the Municipality.

BE IT FURTHER RESOLVED, that a certified copy of this resolution accompany any Appeal filed by the Assessor with the Burlington County Board of Taxation.

RESOLUTION NUMBER 5-12

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL 2011 AND 2012 PROPERTY TAX AND SEWER FEES OF DELINQUENT AMOUNTS LESS THAN \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts in the amounts of less than \$10.00; and

WHEREAS, the governing body of the Borough of Medford Lakes may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00.

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby authorizes the Tax Collector to cancel said tax amounts as deemed necessary.

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be forwarded to the Tax Collector, the Chief Financial Officer and the Municipal Auditor.

RESOLUTION NUMBER 6-12

**RESOLUTION NAMING OFFICIAL DEPOSITORIES
FOR THE BOROUGH OF MEDFORD LAKES
FOR THE YEAR 2012**

WHEREAS, NJSA 40A: 5-14 mandates that the Governing Body of a Municipal Corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the State and organized under laws of the United States;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that, any financial institution or bank that is licensed to do business in the State of New Jersey and is covered by the GOVERNMENT UNIT DEPOSIT PROTECTION ACT, and the New Jersey Cash Management Fund, be and are, hereby designated as official depositories for Borough funds. Prior to the deposit of any Municipal funds in the above mentioned depositories said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered.

RESOLUTION NUMBER 7-12

**AUTHORIZING INVESTMENT OF IDLE FUNDS
AND FUND TRANSFERS**

WHEREAS, it is desirable that idle funds of the Borough of Medford Lakes be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles such as investments to the investing institution; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Medford Lakes that it does authorize the Chief Financial Officer to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Borough checking or savings accounts to other Borough accounts;
2. To or from Borough checking or savings accounts to other Borough accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Medford Lakes, New Jersey.

RESOLUTION NUMBER 8-12

AUTHORIZATION OF NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES

WHEREAS, it is required to designate newspapers for publication of Legal Notices;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **The Central Record**, Medford, NJ published weekly, **The Burlington County Times**, Willingboro, NJ, published daily and the **Courier-Post**, Cherry Hill, NJ, published daily, be authorized as official newspapers for the publication of Legal Notices of the Borough: it being the intent of this resolution with respect to any Legal Notice that such may be published in either newspaper.

RESOLUTION NUMBER 9-12

**RESOLUTION APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER
AFFIRMATIVE ACTION**

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby appoints the Borough Clerk as the Public Agency Compliance Officer for a one-year term ending December 31, 2012.

RESOLUTION NUMBER 10-12

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR A MUNICIPAL
SOLICITOR**

WHEREAS, there exists a need for a Municipal Solicitor; 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 Borough of Medford Lakes has a need to acquire a Municipal Solicitor pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Peter C. Lange, Jr., Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Peter C. Lange, Jr., 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 Peter C. Lange, Jr., 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 Solicitor" is awarded to:

- Peter C. Lange, Jr., Esq, 150 Himmelein Road, Medford, New Jersey 08055.
- The agreed to contract attached shall be for the period of 1/1/12 to 12/31/12.
- The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.
- The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

RESOLUTION NUMBER 11-12

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR AUDITOR

WHEREAS, the Borough of Medford Lakes has a need to acquire a Municipal Auditor pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Inverso & Stewart has completed and submitted a Business Entity Disclosure Certification which certifies that Inverso & Stewart 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 Inverso & Stewart 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

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Auditor to perform Auditing services for the Borough in connection with the preparation of the annual audit and financial statements; and

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

- Robert Stewart of Inverso & Stewart, 100 Country Farms Road, Marlton, New Jersey 08053.
- The agreed to contract attached shall be for the period of 1/1/12 to 12/31/12.
- The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.
- The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

RESOLUTION NUMBER 12-12

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL

WHEREAS, the Borough of Medford Lakes has a need to acquire Bond Counsel pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Raymond & Coleman, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Raymond & Coleman, LLP 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 Raymond & Coleman, LLP 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

WHEREAS, the Borough of Medford Lakes is empowered under N.J.S.A. 40A: 11-2(6) to retain and engage Bond Counsel; and

WHEREAS, the Contract shall be active for the period of January 1, 2012 until December 31, 2012; and

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

- Mr. Thomas Coleman, III, of Raymond & Coleman, LLP, 325 New Albany Road, Moorestown, NJ 08057.
- The agreed to contract attached shall be for the period of 1/1/12 to 12/31/12.
- The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.

- The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

RESOLUTION NUMBER 13-12

**A RESOLUTION AWARDING CONTRACTS FOR PROFESSIONAL SERVICES
FOR A SPECIAL PROJECTS ENGINEER**

WHEREAS, the Borough of Medford Lakes has a need to acquire Special Project Engineers pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated terms of these contracts are one (1) year; and

WHEREAS, the following firms have completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 Environmental Resolutions, Inc. 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

WHEREAS, there exists in the Borough of Medford Lakes a need for Special Project Engineers to perform engineering services for the Borough in connection with Roadway, Wastewater, Dams and Drainage issues.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that the following are hereby awarded contracts for Special Projects Engineer:

Dante Guzzi of the firm, Dante Guzzi Engineering Associates, L.L.C. 418 Stokes Road, Medford, New Jersey 08055.

Mid Atlantic Engineering Partners, 789 Farnsworth Avenue, Bordentown, New Jersey 08050.

John Mallon of the firm, Ernst, Ernst & Lissenden, 52 Hyers Street, Toms River, New Jersey 08754.

Christopher Noll of the firm, Environmental Resolutions, 525 Fellowship Road, Mt. Laurel, New Jersey 08054

Wayne Simpson of the firm, Alaimo Associates, 300 High Street, Mt. Holly, New Jersey 08060.

Stephen Schreiber of the firm, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748.

1. The agreed to contract attached shall be for the period of 1/1/12 to 12/31/12.
 2. The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of and amount of contract.
 3. The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.
-

RESOLUTION NUMBER 14-12

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF A PETTY CASH FUND

WHEREAS, N.J.S.A.40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Borough of Medford Lakes to be used by such office or department to pay claims for small miscellaneous expenses; and

WHEREAS, said Petty Cash Fund was established by Resolution dated June 8, 1972 by the Borough Council of the Borough of Medford Lakes; and

WHEREAS, it is the desire of the Borough Council that said fund be continued under direction of the Clerk; and

WHEREAS, by order of the Administrative Office of the Courts of the State of New Jersey, Rule 7:7-8 (e) the Medford Lakes Borough Court is required to pay subpoenaed witnesses a \$2.00 fee when called to testify on behalf of the State or on behalf of indigent defendants.

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

1. During the year 2012 Mark J. McIntosh, RMC, Borough Clerk be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$220.00 pursuant to the provisions of N.J.S.A 40A: 5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses and witness fees as determined by the Medford Lakes Borough Court.
2. Mark J. McIntosh, RMC, Borough Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

RESOLUTION NUMBER 15-12

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF TAXES AND SETTING THE RATE OF INTEREST ON DELINQUENT TAXES FOR THE YEAR 2012 AND ESTABLISHING MISCELLANEOUS CHARGES

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for taxpayer to be permitted a grace period for the payment of taxes; and

WHEREAS, R.S. 54:4-67 provides that the Governing Body may establish a grace period and fix the rate of interest to be charged; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that no interest shall be charged on taxes which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all taxes which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent taxes and delinquent assessments shall be eight percent (8%) per annum for the year 2012 except when the total delinquency exceeds \$1,500.00, the interest rate shall be eighteen percent (18%) per annum on the portion in excess of \$1,500.00 and shall remain at eighteen percent (18%) (even if the amount is below \$1,500.00) until the account becomes current; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

BE IT FURTHER RESOLVED, that a charge of \$25.00 will be collected for the issuance of a Certificate of Redemption.

RESOLUTION NUMBER 16-12

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF SEWER SERVICES AND SETTING THE RATE OF INTEREST ON DELINQUENT SEWER SERVICES FOR THE YEAR 2012

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for taxpayer to be permitted a grace period for the payment of sewer services; and

WHEREAS, NJSA 40:14A-21 provides that the Governing Body may establish a grace period and fix the rate of interest to be charged; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that no interest shall be charged on sewer services which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all sewer services which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent sewer services shall be eighteen percent (18%) per annum for the year 2012; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

RESOLUTION NUMBER 17-12

RESOLUTION AUTHORIZING SIGNATURES ON BOROUGH ACCOUNTS

WHEREAS, it is the desire of the Borough Council of the Borough of Medford Lakes to designate certain Borough Officials as signatories for Borough Bank Accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, New Jersey that the following Borough Officials are hereby authorized to sign checks or withdrawal slips:

- A. The following bank accounts of the Borough of Medford Lakes shall require two (2) signatures as followings: First Signature shall be that of the Mayor. In the absence of the Mayor, a Borough Councilperson shall sign. Second signature shall be that of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Municipal Clerk shall sign. In the absence of the Chief Financial Officer and the Municipal Clerk, the Borough Manager shall sign.

Accounts: Current Fund, General Capital Fund, Waste Water, Waste Water Capital, Police Body Armor, Environmental, Street Opening, Planning and Zoning, Animal Control, Municipal Alliance, Flood Relief, Public Defender, Unemployment, Special Law Enforcement,

- B. The Payroll account of the Borough of Medford Lakes shall require two (2) signatures from the following officers; Chief Financial Officer, the Borough Clerk or Borough Manager.
 - C. The Tax Title Lien Account of the Borough of Medford Lakes shall require two (2) signatures as following: Signature number one shall be that of the Tax Collector. Signature number two shall be that of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Municipal Clerk shall sign. In the absence of the Chief Financial Officer and the Municipal Clerk, the Borough Manager shall sign.
 - D. The Municipal Court Account and Municipal Court Bail Account of the Borough of Medford Lakes shall require the signature of the Court Administrator. In the absence of the Court Administrator, the Deputy Court Administrator or Municipal Court Judge shall sign.
 - E. Any Bank Account not listed in this resolution shall require the signatures as listed in A above, unless a Resolution of the Governing Body is adopted.
-

RESOLUTION NUMBER 18-12

A RESOLUTION ADOPTING RULES AND REGULATIONS REGARDING IMPLEMENTATION OF LICENSING FEES

WHEREAS, Ordinance No. 478, as amended, at Section 9, provides that rules and regulations may be imposed by Resolution, implementing licensing fees;

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that the following fees shall be in effect until further notice:

DOGS:

\$8.20 Spayed and Neutered
\$11.20, if not spayed and neutered.
\$10.00 Late Charge (to be assessed 30 days after due date)

CATS:

\$8.20 Spayed and Neutered
\$11.20, if not spayed and neutered.
\$10.00 Late Charge (to be assessed 30 days after due date)

The late charge shall be due and payable for dogs and cats that are owned prior to January 31, 2012, annually, thirty (30) days after such date. For dogs and cats that are acquired after January 31, 2012, the late charge shall be due and payable thirty (30) days after the licensing is required under Section 6B, C and D.

RESOLUTION NUMBER 19-12

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND OR TO APPLY CREDITS FOR TAXES

WHEREAS, there are taxpayers of the Borough of Medford Lakes who are due to receive refunds without interest for duplicate tax payments; and

WHEREAS, there are taxpayers of the Borough of Medford Lakes who are due to receive refunds with five percent (5%) interest resulting from judgments by the Burlington County Board of Taxation pursuant to N.J.S.A. 54:3-27.2.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the Borough of Medford Lakes Tax Collector be and hereby is authorized with the concurrence of the Chief Financial Officer to make such refunds or to apply such credits at their discretion.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and CFO for their records.

RESOLUTION NUMBER 20-12

A RESOLUTION APPOINTING CROSSING GUARDS FOR 2012

WHEREAS, it is the desire of the Borough to utilize Crossing Guards to assist in the safe movement of our children and other residents as they cross identified Borough crosswalks during School hours; and

WHEREAS, the New Jersey State Statute governing Crossing Guards requires that they be appointed each year; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position of Crossing Guard; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointment(s) be made as Crossing Guards:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Diane Albrecht	Crossing Guard	January 1, 2012	December 31, 2012
Irene Bamford	Crossing Guard	January 1, 2012	December 31, 2012
Janet Dwier	Crossing Guard	January 1, 2012	December 31, 2012
Kevin Dwier	Crossing Guard	January 1, 2012	December 31, 2012
Barbara Kinder	Crossing Guard	January 1, 2012	December 31, 2012
Joseph O'Neill	Crossing Guard	January 1, 2012	December 31, 2012
Lou Potter	Crossing Guard	January 1, 2012	December 31, 2012
Ann Schaeffer	Crossing Guard	January 1, 2012	December 31, 2012
Kenneth Thompson	Crossing Guard	January 1, 2012	December 31, 2012
David Wasson	Crossing Guard	January 1, 2012	December 31, 2012
Janelle Dwier	Crossing Guard	January 1, 2012	December 31, 2012
William Hendrickson	Crossing Guard	January 1, 2012	December 31, 2012
David Mayo	Crossing Guard	January 1, 2012	December 31, 2012
Walter M. Roecker	Crossing Guard	January 1, 2012	December 31, 2012

VOTE ON CONSENT AGENDA

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

RESOLUTIONS

Deputy Mayor Cranston introduced Resolution Number 21-12, seconded by Councilman Miller.

RESOLUTION NUMBER 21-12

**A RESOLUTION AUTHORIZING THE ISSUANCE OF
DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF
THE PUBLIC LAWS OF 1997 AND SETTING A FEE**

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate covering a premises commonly known and referred to with a block and lot number as set out in the municipal tax map; and

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment of a fee of \$100.00 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED, that a copy of this resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "DUPLICATE" as required by law.

VOTE TO ADOPT

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

Councilman Hanold introduced Resolution Number 22-12, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 22-12

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
BETWEEN THE BOROUGH OF MEDFORD LAKES AND MERIDIAN ENVIRONMENTAL SERVICES**

WHEREAS, the Borough of Medford Lakes owns and operates a Wastewater Treatment Plant for the treatment of sanitary sewage and associated collection system; and

WHEREAS, Meridian Environmental Services desires to discharge pre-treated groundwater at 132 Hiawatha Trail to the Borough for collection and treatment; and

WHEREAS, in agreeing to transport its pre-treated discharge to the Borough for treatment, Meridian Environmental Services will guarantee the discharge will not harm the Borough’s facilities or treatment efforts.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby authorizes the execution of the attached agreement between the Borough of Medford Lakes and Meridian Environmental Services.

Council collectively agreed to amend the language of the agreement regarding Number 7, Section D.

Deputy Mayor Cranston opened the meeting to public comment.

Joe Aromando of Shingowack Trail expressed concern that he was unable to see the agreement prior to the Council meeting.

VOTE TO ADOPT

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

Councilman Hanold introduced Resolution Number 23-12, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 23-12

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
BETWEEN THE BOROUGH OF MEDFORD LAKES AND ENVIRONMENTAL MAINTENANCE
COMPANY**

WHEREAS, the Borough of Medford Lakes owns and operates a Wastewater Treatment Plant for the treatment of sanitary sewage and associated collection system; and

WHEREAS, Environmental Maintenance Company desires to discharge pre-treated groundwater at 112 Meeshaway Trail to the Borough for collection and treatment; and

WHEREAS, in agreeing to transport its pre-treated discharge to the Borough for treatment, Environmental Maintenance Company will guarantee the discharge will not harm the Borough’s facilities or treatment efforts.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby authorizes the execution of the attached agreement between the Borough of Medford Lakes and Environmental Maintenance Company.

Council collectively agreed to amend the language of the agreement regarding Number 7, Section D.

VOTE TO ADOPT

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

Deputy Mayor Cranston introduced Resolution Number 24-12, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 24-12

**A RESOLUTION MEMORIALIZING APPOINTMENTS
TO MEMBERSHIP ON THE PLANNING BOARD**

WHEREAS, the Planning Board has three member terms expiring; and

WHEREAS, the appointments are for an Alternate 1, Alternate II and Class II positions, and

WHEREAS, the Mayor is charged with appointing the Class II member and the entire Governing Body is charged with appointing the Alternate 1 and Alternate II positions.

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

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Richard Holston	Alternate I	January 1, 2012	December 31, 2013
Shannon-Walsh Bacchus	Alternate II	January 1, 2012	December 31, 2013
David Crane	Class Two (2)	January 1, 2012	December 31, 2013

Deputy Mayor Cranston opened the meeting to public comment.

Joe Aromando of Shingowack Trail stated that Council was being small minded by turning down his two years of experience and questioned why in the past people were reappointed but not this time.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey					X	
Deputy Mayor Thomas J. Cranston	X		X			

Councilman Gary A. Miller			X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick		X	X			

Deputy Mayor Cranston introduced Resolution Number 25-12, seconded by Councilman Miller.

RESOLUTION NUMBER 25-12

A RESOLUTION ESTABLISHING A FEE FOR MAILING OF TAX NOTICES IN LIEU OF ANY TWO PUBLICATIONS

WHEREAS, N.J.S.A. 54:5-26 states that a notice of Tax Sale be published in a newspaper circulated within the municipality once in each of the four preceding calendar weeks prior to the week of the sale; and

WHEREAS, N.J.S.A. 54:5-26 allows in lieu of any two publications notice to the property owner, person or entity entitled by direct or certified mail is allowed; and

WHEREAS, the cost for such notice shall be added to the cost of the sale in addition to those provided in R.S. 54:5-38.

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby authorizes the Tax Collector to charge a \$25.00 fee for each set of notices mailed for a particular property pursuant to N.J.S.A. 54:5-26.

VOTE TO ADOPT

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

Councilman Hanold introduced Resolution Number 26-12, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 26-12

A RESOLUTION CREATING A CHANGE FUND FOR THE POLICE DEPARTMENT TO PROCESS REQUESTS FOR REPORTS

Whereas, certain funds are collected by the Police Department for copies of police reports, accident reports, etc; and

Whereas, the Police Department needs a change fund on hand to make change when needed.

Now, Therefore Be It Resolved, by the Mayor and Council of the Borough of Medford Lakes that a change fund in the amount of \$50.00 is authorized to be used by the Borough Police Department.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain

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

Councilman Fitzpatrick introduced Resolution Number 27-12, seconded by Councilman Hanold.

RESOLUTION NUMBER 27-12

A RESOLUTION APPOINTING A FIRE OFFICIAL FOR 2012

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 Craig Farnsworth, II, Fire Official #139530 is hereby appointed as the Fire Official for calendar year 2012.

Deputy Mayor Cranston opened the meeting to public comment.

Joe Aromando of Shingowack Trail asked if this position had been advertised.

Manager Horner – Keizer stated that it was.

VOTE TO ADOPT

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

TABLED RESOLUTIONS

Deputy Mayor Cranston motioned to un-table and reintroduce Resolution Number 175-11, seconded by Councilman Fitzpatrick.

RESOLUTION NUMBER 175-11

A RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **Southern New Jersey Regional Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of **the Borough of Medford Lakes**, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Manager Horner – Keizer explained the Resolution to Council and the Public.

VOTE TO ADOPT

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

Councilman Hanold motioned to un-table and reintroduce Resolution Number 178-11, seconded by Deputy Mayor Cranston.

RESOLUTION NUMBER 178-11

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEAMSTERS LOCAL UNION NO. 676 REPRESENTING EMPLOYEES OF THE WASTEWATER DEPARTMENT

WHEREAS, the **Borough of Medford Lakes** wishes to enter into a Collective Bargaining Agreement for the years 2010, 2011 and 2012, with the Teamsters Local Union No. 676 representing employees of the Wastewater Department for services to be rendered within its own jurisdiction; and

WHEREAS, the parties deem it appropriate to enter into a Collective Bargaining Agreement for the years 2010, 2011 and 2012, to provide such services as outlined in said Agreement, copies of which are on file with the Borough Clerk;

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 Mayor, Manager and Clerk are hereby authorized to execute a contract between the Borough of Medford Lakes and the Teamsters Local Union No. 676 representing employees of the Wastewater Department, for the years 2010, 2011 and 2012.

Deputy Mayor Cranston opened the meeting to public comment.

Joe Aromando of Shingowack Trail asked for Council to highlight the changes from the previous contract.

Manager Horner – Keizer explained the changes involved salary increases, flex time and the elimination of longevity.

VOTE TO ADOPT

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

REPORTS

Manager Horner – Keizer submitted a written report and highlighted the following; Ballinger Walkway, Leaf Collection, and the pending Budget Workshops.

Clerk McIntosh stated that bids had been received for the Licensed Wastewater Operator and the low bidder was PH2O Services.

Councilman Hanold introduced Resolution Number 29-12, seconded by Councilman Miller.

RESOLUTION 29-12

AWARDING A BID FOR THE LICENSED OPERATOR IN CHARGE – BOROUGH OF MEDFORD LAKES WASTEWATER TREATMENT PLANT

WHEREAS, the Borough of Medford Lakes pursuant to the NJ State Public Contract Law received the following bids for the Licensed Operator in Charge – Borough of Medford Lakes Wastewater Treatment Plant on January 11, 2012 @ 10:00am; and

Advanced Environmental Technologies, LLC	\$59.00 per hour
pH ₂ O Services L.L.C.	\$50.00 per hour; and

WHEREAS, pH₂O Services L.L.C. was the lowest responsible/responsive bidder received by the Borough, with a bid in the amount of \$50.00 per hour; 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 pH₂O Services L.L.C., 519 North Elmwood Road, Marlton, New Jersey 08053-5503 be and hereby is awarded a contract for Licensed Operator in Charge – Borough of Medford Lakes Wastewater Treatment Plant 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 pH₂O Services L.L.C. in order to complete said Contract.

VOTE TO ADOPT

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

NEW BUSINESS

Councilman Hanold made a motion to allow the Clerk to dispose of the police car no longer needed for service by the Borough, seconded for discussion by Councilman Miller.

Manager Horner – Keizer and Council discussed the pros and cons to keeping the vehicle.

Councilman Miller motioned to table action on the motion until further discussion could be had with the Borough Manager, seconded by Deputy Mayor Cranston.

VOTE TO TABLE

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

Manager Horner – Keizer stated that she would like to see Council adopt a policy regarding giving the employees and allowance to give a percentage of sick time to a sick time bank that a fellow employee may utilize if their own sick time has been exhausted. It would be on a case by case basis and she will circulate a sample to Council for review.

BILL LIST

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

Councilman Miller stated he would abstain as he had not had an opportunity to review the bill list prior.

VOTE TO APPROVE

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

PUBLIC COMMENT #2

Deputy Mayor Cranston opened the meeting for public comment.

Pete Rogers of Apache Trail stated that the birds would appreciate residents putting their Christmas Trees in the yard for habitat. He also asked if longtime disability was available for employees.

Manager Horner – Keizer stated that it was.

Joe Aromando of Shingowack Trail asked the Clerk when Resolutions and Contracts were available for public review and expressed concern with the way Council was running the meeting.

Deputy Mayor Cranston asked that Mr. Aromando address Council and not the employees during a Council meeting. He further stated that the Clerk would be available to answer his questions during normal business hours.

Hearing no further comment, Deputy Mayor Cranston closed public comment.

Councilman Miller motioned to exit the meeting and re-enter a Closed/Executive Session to finish discussed regarding the Risk Management Consultant Contract, seconded by Councilman Fitzpatrick.

Council advised the public that upon exiting the Closed/Executive Session no further action would be taken and the Regular Meeting would be adjourned at that time.

Vote to re-enter the Closed/Executive Session then adjourn the Regular Meeting

Yeas – Cranston, Miller, Hanold, Fitzpatrick

Nays – None

Absent – Lackey

Meeting Adjourned