

BOROUGH OF MEDFORD LAKES, NEW JERSEY

EXECUTIVE/CLOSED SESSION MEETING

DECEMBER 8, 2010

An Executive/Closed Session 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 6:00pm. Notice of this Closed/Executive Session was published in the Burlington County Times (12/6) and posted on the official bulletin board. Those wishing to be notified of changes to scheduled meetings were notified via email or regular email.

ROLL CALL

Clerk McIntosh called roll. Mayor Gary A. Miller, Councilman Jeffrey Fitzpatrick and Councilman Robert D. Hanold, Sr. answered in attendance. Deputy Mayor Thomas J. Cranston and Councilman Gregory C. Lackey arrived after roll call had been taken. Also present were Manager Julie Horner-Keizer and Deputy Manager/Clerk Mark J. McIntosh.

Mayor Miller introduced the following Resolution, seconded by Councilman Hanold.

RESOLUTION NUMBER 189-10

A RESOLUTION EXCLUDING THE PUBLIC FROM A PUBLIC MEETING

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

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

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

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

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

1. That the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session as follows:
 - Review of 2011 Professional Contract Proposals – Employment 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.

Mayor Miller requested a roll call vote.

Vote to approve/adopt resolution 189-10

Yeas – Miller, Hanold, Fitzpatrick

Nays – None

Absent – Cranston, Lackey

Resolution approved/adopted

Mayor Miller motioned to exit the Executive/Closed Session Meeting and resume the Regular Meeting, Seconded by Deputy Mayor Cranston – All in favor.

REGULAR MEETING

DECEMBER 8, 2010

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 7:30pm. Following the pledge of allegiance (led by 5-year old resident Daniel Scullion) and a moment of silence (Council and the public observed a moment of silence to honor service men and women defending our country). Clerk McIntosh read the Open Public Meetings Act: pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting had been provided by advertisement of the annual notice of meetings in the central record (1/7), Burlington County Times (1/7), Courier Post (1/6) and posted on the official bulletin board of the Borough of Medford Lakes. Those wishing to be notified for changes to scheduled meetings were notified via email or regular mail.

ROLL CALL

Clerk McIntosh called roll. Mayor Gary A. Miller, Deputy Mayor Thomas J. Cranston, Councilman Gregory C. Lackey, Councilman Robert D. Hanold, Sr. and Councilman Jeffrey Fitzpatrick answered in attendance. Also present were Manager Julie Horner-Keizer, Deputy Manager/Clerk Mark J. McIntosh, Engineer Jeff McNesby and Solicitor Peter C. Lange, Jr.

SPECIAL PRESENTATION

Deputy Mayor Cranston made a presentation of a \$2,000 donation from the Medford Lakes Junior Women's organization to Firefighter/EMT John Scullion, Chairman of the 9/11 Memorial Circle Project.

FF/EMT Scullion thanked Deputy Mayor Cranston and the Junior Women's organization and stated that this very generous donation would be put to good use.

PUBLIC COMMENT #1

Mayor Miller opened the meeting for public comment.

Millie Linett of the Medford Lakes Colony, 79 Tecumseh Trail asked for an update on the tax revaluation project, the Colony's involvement in the planned 2011 Senior Expo the Mayor spoke of and the process for refunding the Colony's donation of the drainage socks.

Solicitor Lange stated that the Borough was actively discussing concerns with Appraisal Systems, Inc. as well as discussion with the County Tax Board. Because the discussion is about contract issues he advised Council not to discuss.

Mayor Miller stated that he looks forward to working with the Colony on the Senior Expo and is looking for it to occur in May 2011.

Engineer McNesby stated that he had developed and sent to the Colony a plan to move forward with the donation and recommended installation in spring of 2011.

Manager Horner – Keizer stated that a refund of the donation could be accomplished through adoption of a formal Resolution by Council.

Deputy Mayor Cranston expressed concern over the request for the donation to be returned.

Ms. Linett stated that it was a topic of discussion at the last Board of Director's meeting and she was charged with investigating the process.

Hearing no further comment, Mayor Miller closed public comment.

MINUTES

Mayor Miller motioned for approval/adoption of the November 10, 2010 executive/closed session meeting minutes, seconded by Deputy Mayor Cranston.

Vote to approve/adopt

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Minutes approved/adopted

Mayor Miller motioned for approval/adoption of the November 10, 2010 regular meeting minutes, seconded by Deputy Mayor Cranston.

Vote to approve/adopt

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Minutes approved/adopted

ORDINANCES

Mayor Miller introduced on second reading with public hearing Ordinance Number 582, seconded by Councilman Lackey.

ORDINANCE NUMBER 582

AN ORDINANCE AMENDING ORDINANCE NUMBER 576 OF THE BOROUGH OF MEDFORD LAKES ENTITLED "AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY SETTING A SCHEDULE OF FEES AND REPEALING ALL OTHERS"

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 576 of the Borough of Medford Lakes entitled "an Ordinance of the Borough of Medford Lakes, County of Burlington, State of New Jersey setting a schedule of fees and repealing all others" as follows:

SECTION 2 AMENDMENT

Fees are hereby amended as follows:

ABC Plenary Retail Consumption License	\$1,243.00
ABC Club License	\$ 188.00
Solid Waste Container	Charged at market value
Street Opening Permit	\$ 250.00
Street Opening Services (DPW & WW)	Charged at time and material cost
Zoning Permit Fee	\$ 50.00
Minimum Construction Permit Fee	\$ 50.00

SECTION 3 EFFECTIVE DATE

This Ordinance shall take effect immediately upon its final passage and publication according to law, and shall be effective as of date of publication.

Clerk McIntosh provided an overview of the Ordinance.

Mayor Miller opened the meeting for a public hearing on the proposed Ordinance.

Rudy Levak of 77 Onondago Trail expressed concern over the need for the Street Opening fee to increase so drastically from \$100 to \$500. He stated that the homeowner is already under duress needing to get the work done and isn't the homeowner already paying for the employees to be at work.

Councilman Hanold stated that he too was concerned with the increase and stated that this is a specific use fee, a service not required by all property owners. He stated that his research of other municipalities showed street opening fees ranged from \$50 to \$300 and he would be willing to support amending the fee from \$500 to \$250.

Councilman Lackey stated that currently the town is subsidizing the extra time required for monitoring these street openings but also believes that \$250 is more reasonable.

Councilman Fitzpatrick confirmed that if the fee is amended the Borough would still seek to recover costs if Borough equipment is utilized at any street openings.

Deputy Mayor Cranston echoed similar concerns and stated that he would support amending the fee.

Mayor Miller closed the public hearing.

Councilman Lackey motioned to amend Ordinance Number 582, and reduce the street opening fee from \$500 to \$250, seconded by Councilman Hanold.

Solicitor Lange stated that the change could be made without the need to re-publish.

Mayor Miller requested a roll-call vote on the amendment.

Vote to amend Ordinance Number 582
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Ordinance amended

Mayor Miller requested a roll-call vote on adoption.

Vote to adopt Ordinance Number 582
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Ordinance adopted

Deputy Mayor Cranston introduced on first reading Ordinance Number 583, seconded by Councilman Fitzpatrick

ORDINANCE NUMBER 583

AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY SETTING A SCHEDULE OF FEES FOR THE UNIFORM CONSTRUCTION CODE AND REPEALING ALL OTHERS

The following schedule of fees is hereby established with respect to Uniform Construction Fees for Plumbing and Electrical Sub code:

ELECTRICAL SUBCODE FEES:

1. For one (1) to fifty (50) electrical receptacles, fixtures or devices including but not limited to lighting fixtures, receptacles, wall switches, fluorescent fixtures, convenience receptacles, dimmers, sensors, alarm devices, smoke and heat detectors, communication outlets, light standards (8 feet or less in height including luminaries), exit signs, emergency lights, electric signs, or similar fixtures and devices rated 20 amperes or less and motors or equipment rated less than one (1) horsepower (hp) or one (1) kilowatt (kw). The fee shall be \$54.00.
2. For each 25 or less additional receptacles, fixtures, or devices rated less than 20 amperes, and motors or equipment rated less than one (1) hp or one kw. The fee shall be \$15.00.
3. For each motor or electrical device rated greater than one (1) hp or one (1) kw and less than or equal to ten (10) hp or ten (10) kw; and for transformers and generators rated one (1) kw or one (1) kva to ten (10) kw or ten (10) kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage tub; for each under-water lighting fixture; for household electric cooking equipment rated up to 16 kw; for each fire,

security or burglar alarm control unit; for each receptacle rated from 30 to 50 amperes; for each light standard greater than eight (8) feet in height including luminaries; and for each communications closet; the fee shall be \$45.00.

4. For each motor or electrical device rated from greater than 10 hp or 10 kw to fifty (50) hp or fifty (50) kw; for each service equipment, panel board, switch board, switch gear, motor control center, or disconnecting means rated 225 amperes or less; for each transformer or generator rated from greater than 10 kw or 10kva to 45 kw or 45 kva; for each electric sign rated from greater than 20 amperes to 225 amperes including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be \$65.00.
5. For each motor or electrical device rated from greater than fifty (50) hp or fifty (50) kw to one hundred (100) hp or one hundred (100) kw; for each service equipment, panel board, switch board, switch gear, motor control center or disconnecting means rated greater than 225 amperes to 1,000 amperes; and for each transformer or generator rated greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva; the fee shall be \$116.00.
6. For each motor or electrical device rated greater than one hundred (100) hp or one hundred (100) kw; for each service equipment, panel board, switch board, switch gear, motor control center or disconnecting means rated greater than 1,000 amperes; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva; the fee shall be \$576.00.

The minimum fee for permits not listed shall be \$69.00.

PLUMBING SUBCODE FEES:

7. The Plumbing Sub code Fee shall be \$15.00 per fixture and appliance connected to the plumbing, oil, or gas piping system except for special devices. Examples shall include but not limited to: plumbing fixture, device, stack, sink, urinal, water closet, bathtub, shower stall, laundry tub, floor drain, condensate line, drinking fountain, dishwasher, garbage disposal, clothes washer, clothes dryer, heater, range, oven or water heater.
8. The fee shall be \$75.00 per special device for the following: grease traps, oil separators, utility service connections, water cooled air conditioning units, refrigeration units, backflow preventers (with test ports), steam boilers, hot water boiler, active solar systems, sewer pump, interceptors, sump pump and booster pump.
9. LPG Installation: The fee for the installation of tank and piping system containing liquefied petroleum gas (LPG) in quantities of 2,000 gallons or less aggregate water capacity shall be a flat fee of \$75.00.
10. Backflow and Cross connection annual testing the fee will be \$75.00 per device.
11. The minimum fee for permits not listed shall be \$69.00.

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

Manager Horner – Keizer provided an overview of the Ordinance.

Councilman Lackey inquired if the fee's were in-line with Medford Township's.

Manager Horner – Keizer stated that they were and are in-line with the Shared Service Agreement.

Mayor Miller requested a roll-call vote on introduction.

Vote to introduce Ordinance Number 583
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Ordinance introduced

RESOLUTIONS

Councilman Fitzpatrick motioned to take from the table and reintroduce Resolution Number 176-10, seconded by Councilman Hanold

Mayor Miller requested a roll-call vote on the motion.

Vote to take from the table and re-introduce Resolution Number 176-10
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Resolution untabled and introduced

RESOLUTION NUMBER: 176-10

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON AND THE BOROUGH OF MEDFORD LAKES

WHEREAS, the Borough of Medford Lakes and the County of Burlington desire to enter into a Shared Service Agreement for utilization of the Burlington County Department of Public Safety, Division of Central Communications/911 call service; and

WHEREAS, the Shared Services Agreement shall be for the period of July 1, 2010 through June 30, 2013; and

WHEREAS, the Borough of Medford Lakes and the County of Burlington have agreed to participate as documented in the attached Shared Services Agreement which establishes the respective rights and obligations of the parties.

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

1. The attached Shared Services Agreement between the Borough of Medford Lakes and Burlington County Department of Public Safety, Division of Central Communications for utilization of the Burlington County Department of Public Safety, Division of Central Communications/911 call service shall be effective for the period of July 1, 2010 through June 30, 2013.
2. The Mayor and Borough Clerk are hereby authorized to sign, seal, execute and witness/attest the agreement on behalf of the Borough of Medford Lakes.
3. The Mayor is authorized to take any action necessary to implement the terms of this Shared Services Agreement.
4. All terms, conditions and responsibilities between the Borough of Medford Lakes and the County of Burlington as detailed in the attached Shared Services Agreement shall remain in full force and effect.

Solicitor Lange stated that he had worked with the Burlington County Solicitor on language in the proposed agreement as directed.

Council and Solicitor Lange discussed the agreement language at length and recommended some additional wording to include, "upon mutual agreement".

Solicitor Lange stated that he would make the adjustment and review same with the Burlington County Solicitor.

Mayor Miller motioned to amend the agreement language, seconded by Councilman Fitzpatrick.

Mayor Miller requested a vote on the amendment.

Vote to adopt Resolution 176-10

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Resolution amended

Mayor Miller opened the meeting to public comment.

Joe Aromando of 285 Shingowack Trail stated that he appreciated Council's thorough review of the agreement language and their effort to protect the Borough's rights.

Mayor Miller closed public comment and requested a roll-call vote.

Vote to adopt Resolution Number 176-10

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Resolution adopted

Councilman Hanold introduced Resolution Number 184-10, seconded by Councilman Lackey.

RESOLUTION NUMBER 184-10

A RESOLUTION AUTHORIZING THE REJECTION OF BIDS ON A FIRST OCCASION REGARDING THE CELL TOWER EXTENSION CONSTRUCTION PROJECT AND AUTHORIZING A RE-BID PURSUANT TO THE NEW JERSEY STATE LOCAL PUBLIC CONTRACTS LAW

WHEREAS, the BOROUGH OF MEDFORD LAKES solicited bids for the Cell Tower Extension Construction Project; and

WHEREAS, the BOROUGH OF MEDFORD LAKES has the right to reject all bids received in accordance with N.J.S.A. 40:11-13.2.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the bids received on October 20, 2010 are hereby rejected.

BE IT FURTHER RESOLVED, that the Clerk is authorized to re-bid for the Cell Tower Extension Construction Project.

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

Vote to approve/adopt resolution 184-10
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Resolution approved/adopted

Councilman Fitzpatrick introduced Resolution Number 185-10, seconded by Councilman Hanold.

RESOLUTION NUMBER 185-10

A RESOLUTION APPROVING CERTAIN QUALIFIED ACTIVE MEMBERS OF THE FIRE DEPARTMENT APPLICATION FOR MEMBERSHIP INTO THE NEW JERSEY STATE FIREMAN'S RELIEF ASSOCIATION

WHEREAS, certain qualified members of the Medford Lakes Fire Department are applying for membership in the New Jersey State Fireman's Relief Association; and

WHEREAS, the governing body of the BOROUGH OF MEDFORD LAKES supports the application of qualified active members within the Fire Department admittance into the NJ State Fireman's Relief Association; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following qualified active member of the Medford Lakes Fire Department are approved to apply for membership in the New Jersey State Fireman's Relief Association:

- EDWARD M. DILEO
- CHARLES A. BROWN, JR.
- JEFFREY J. RUDER
- SAMANTHA L. DAVIS

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

Vote to approve/adopt resolution 185-10
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Resolution approved/adopted

Deputy Mayor Cranston introduced Resolution Number 186-10, seconded by Mayor Miller.

RESOLUTION NUMBER 186-10

A RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT

**WITH THE TOWNSHIP OF EVESHAM FOR TEMPORARY PART-TIME REGISTRAR OF VITAL
STATISTICS SERVICES**

WHEREAS, the Borough Council of the Borough of Medford Lakes (Medford Lakes) wishes to enter into a Shared Services Agreement with the Township of Evesham (Evesham) to share services and reduce costs by working together to provide for temporary, part-time Registrar of Vital Statistics services for the Township of Evesham; and

WHEREAS, by entering into this agreement, Medford Lakes and Evesham agree that the use of the aforementioned services benefits each public entity equally; and

WHEREAS, Evesham Township will pay Medford Lakes for the provision of temporary part-time Registrar of Vital Statistics services as defined in the Shared Services Agreement, attached hereto and made a part hereof; and

WHEREAS, all contractual provisions have been negotiated in the aforementioned Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes and empowers Medford Lakes Borough and Evesham Township to enter into this agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, that the Mayor and Borough Clerk be and are hereby authorized to execute this Shared Services Agreement with the Township of Evesham.

Mayor Miller asked for Council comment, hearing none he asked for public comment.

Joe Aromando of 285 Shingowack Trail asked if the Borough was benefiting from this agreement.

Manager Horner – Keizer stated that the Borough was.

Mayor Miller requested a roll call vote.

Vote to approve/adopt resolution 186-10

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Resolution approved/adopted

Councilman Hanold introduced Resolution Number 187-10, seconded by Councilman Lackey.

RESOLUTION NUMBER 187-10

**A RESOLUTION AMENDING RESOLUTION NUMBER 68-10, A RESOLUTION AWARDING A
PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING SERVICES**

WHEREAS, the Borough of Medford Lakes has a need to amend a contract to acquire an Engineer pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is until completion; and

WHEREAS, Princeton Hydro, Inc. completed and submitted a Business Entity Disclosure Certification which certifies that Princeton Hydro, Inc. 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 Princeton Hydro, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the CFO's 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 an Engineer to perform a Hydrology and Hydraulic Analysis for the Borough in connection with Mishe Mokwa Dam; and

WHEREAS, the Local Public Contracts Law (NJSA 40A: 11-1 et seq) requires that the resolution authorizing awarding and amending of contracts for Professional Services without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that the contract with *Princeton Hydro, LLC, 1108 Old York Road, Suite 136, P.O. Box 720, Ringoes, NJ 08551*, be and is, hereby amended to include a Hydrology and Hydraulic Analysis for Mishe Mokwa Dam for an amount not to exceed \$3,750 amending Resolution Number 68-10 from \$41,500.00 to \$45,250.00.

This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by the law.

A copy of this resolution shall be published as required by law.

The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. This resolution shall take place immediately.

Clerk McIntosh provided an overview of the Resolution and explained that this increase for the analysis was a shared cost with the Colony.

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

Vote to approve/adopt resolution 187-10
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Resolution approved/adopted

Deputy Mayor Cranston introduced Resolution Number 188-10, seconded by Miller Mayor.

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

RESOLUTION NUMBER 188-10

A RESOLUTION AUTHORIZING CERTAIN BUDGETARY TRANSFERS FOR THE 2010 BUDGET

WHEREAS, The Governing Body of the Borough of Medford Lakes did adopt a budget for the year 2010 in accordance with the Municipal Budget Law (NJSA 40A-4 et seq) ; and

WHEREAS, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

WHEREAS, NJSA 40A:4-58 allows for the transfer of funds among line items of an adopted municipal budget during the last two months of the fiscal year; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, New Jersey, that the Chief Financial Officer of the Borough of Medford Lakes is hereby authorized to make the transfers as listed below among the various line items in the 2010 Municipal Budget:

TRANSFER FROM:

Finance – Operating Expenses	1,000.00
Tax Collector Operating Expenses	1,250.00
Construction Official – Operating Expenses	1,500.00
Group Insurance – Contingency	10,250.00
Buildings & Grounds – Operating Expenses	600.00

Total Transfer from:	\$14,600.00

TRANSFER TO:

Fire Official – Salaries & Wages	600.00
Legal – Litigation – O.E.	14,000.00

Total Transfer to:	\$ 14,600.00

Mayor Miller asked for Council comment, hearing none he asked for public comment.

Joe Aromando of 285 Shingowack Trail asked if they were taking money from the contingency and was any further litigation pending.

Manager Horner – Keizer stated that the legal contingency had already been used and this was additional funds needed to pay for approved litigation. Litigation is still pending with some issues.

Mayor Miller called for a roll call vote.

Vote to approve/adopt resolution 188-10
Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick
Nays – None
Resolution approved/adopted

REPORTS

Manager Horner-Keizer submitted a written report, no questions from Council.

Deputy Manager/ Clerk McIntosh submitted a written report, no questions from Council.

Solicitor Lange stated he has been working with the Borough Engineer on developing a final draft of the Street Opening Ordinance. He also requested an Executive/Closed Meeting session with Council at the next meeting to discuss the Gross litigation matters.

The Sewer Collector submitted a written report.

The Tax Collector submitted a written report.

The Assistant Public Works Manager submitted a written report updating leaf collection efforts.

OLD BUSINESS

Deputy Mayor Cranston stated that he had a positive discussion with Planning Board Chairman David Crane regarding the development of the Underground Storage Unit and amending the Home Occupation Ordinances. The Planning Board has created sub-committees to address both issues.

Solicitor Lange stated that he had received a final agreement from the Evesham MUA regarding the Shared Service Agreement for videotaping of the sewer lines and would circulate that agreement to Council for approval.

CORRESPONDENCE

Clerk McIntosh read into the record a letter received from Police Chief Frank Martine regarding two monetary donations received by the Medford Lakes Police Officer's Association to be used towards police equipment. The department will be utilizing the donations to replace three (3) laptops in the patrol cars. Clerk McIntosh will prepare a formal resolution for the next meeting accepting this donation.

BILL LIST

Mayor Miller motioned for approval of the bill list including additions provided by the Clerk, seconded by Councilman Lackey.

Vote to approve bills

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Bills approved

PUBLIC COMMENT #2

Mayor Miller opened the meeting for public comment.

Joe Aromando of 285 Shingowack Trail asked if there was any pending litigation with the Revaluation Contract an update on the Ballinger Lake sidewalk project, if any decision had been made by Council over changing due dates for the sewer fees and could the Borough post on the website job titles and salaries.

Solicitor Lange stated that the legal work he is currently doing on behalf of the Borough regarding the reval contract is within his monthly retainer.

Engineer McNesby stated that the first model provided to the State regarding Ballinger lake sidewalk was not compliant and he would be meeting next week with engineers from Princeton Hydro to alter the model and re-submit for State approval.

Manager Horner – Keizer stated that the administration committee had met and had initial discussions regarding the sewer fee due dates. A final determination is expected by next meeting.

Councilman Hanold stated that he keeps a running tabulation of open items and reviews them weekly with management.

Pete Rogers of 156 Apache Trail asked for the status on the Borough calendar.

Clerk McIntosh stated that all municipal data was forwarded to the Home & School Association who recently received funding for the calendar from Beneficial Bank.

Mayor Miller closed public comment.

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

Vote to Adjourn

Yeas – Miller, Cranston, Lackey, Hanold, Fitzpatrick

Nays – None

Meeting Adjourned