

**BOROUGH OF MEDFORD LAKES, NJ
SPECIAL MEETING
January 4, 2010**

A Special 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 8:00am. Following the pledge of allegiance and 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 Statement of Compliance with the Open Public Meetings Act: this is to announce that adequate notice had been provided to allow publication 48-hours in advance and was (1) posted on the Administration Building bulletin board and (2) filed with the Municipal Clerk. Advance written notice of this meeting was mailed or emailed to all persons who requested such notice according to the Clerk of the Municipality. Publication of notice was made on December 31, 2009 in the Burlington County Times.

ROLL CALL

Clerk McIntosh called roll. Mayor Paul G. Weiss, Esq., Councilman Timothy S. Casey and Councilman Gregory C. Lackey answered in attendance. Also present were Deputy Manager/Acting Clerk Mark J. McIntosh and Police Chief Frank Martine.

RESOLUTIONS

Mayor Weiss introduced Resolution Number 1-10, seconded by Councilman Casey

RESOLUTION NUMBER 1-10

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, 2010 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 \$ 940,761.02 and the amount for the Wastewater Utility Operating Fund is \$ 237,352.50;

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 2010 Temporary Budget for the Borough of Medford Lakes:

<u>APPROPRIATION</u>	<u>AMOUNT</u>
ADMINISTRATION & EXECUTIVE	
Salaries & Wages	\$27,050.00
Other Expenses	\$7,500.00
MAYOR & COUNCIL	
Other Expenses	\$200.00
CLERK	
Salaries and Wages	\$8,200.00
Other Expenses	\$10,000.00
FINANCE ADMINISTRATION	
Salaries and Wages	\$9,500.00

Other Expenses	\$700.00
AUDIT	
Other Expenses	\$11,000.00
DATA PROCESSING	
Other Expenses	\$5,000.00
COLLECTION OF TAXES	
Salaries and Expenses	\$5,200.00
Other Expenses	\$700.00
ASSESSMENT OF TAXES	
Salaries and Wages	\$4,600.00
Other Expenses	\$750.00
LEGAL SERVICES	
Other expenses	\$15,000.00
ENGINEERING SERVICES	
Other Expenses	\$3,500.00
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	\$200,000.00
Other Expenses	\$10,000.00
OEM	
Salaries and Wages	\$600.00
Other Expenses	\$200.00
Contribution to First Aid Organization	\$ 3,300.00
FIRE	
Other Expenses	\$14,500.00
FIRE OFFICIAL	
Salaries and Wages	\$3,400.00
Other Expenses	\$500.00
PROSECUTOR	
Other Expenses	\$1,575.00

STREETS AND ROADS

Salaries and Wages	\$83,000.00
Other Expenses	\$15,000.00

SOLID WASTE

Salaries and Wages	\$15,200.00
Other Expenses	\$12,500.00

BUILDINGS

Other Expenses	\$3,100.00
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VEHICLE

Other Expenses	\$14,000.00
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ENVIRONMENTAL

Salaries and Wages	\$1,100.00
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ELECTRICITY	\$7,700.00
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STREET LIGHTS.....	\$2,400.00
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TELEPHONE ..	\$3,600.00
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NATURAL GAS	\$10,000.00
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GASOLINE.....	\$13,000.00
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PRINTING.....	\$2,000.00
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LANDFILL.....	\$35,000.00
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CONSTRUCTION CODE OFFICIAL

Salaries and Wages	\$9,500.00
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Other Expenses	\$5,000.00
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ZONING CODE ENFORCEMENT

Salaries and Wages	\$3,000.00
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Other Expenses	\$100.00
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CONTINGENT	\$.00
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OASI ..	\$30,000.00
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EMP PENSION	\$1,100.00
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MUNICIPAL COURT

Salaries and Wages	\$7,800.00
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Other Expenses	\$1,500.00
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PUBLIC DEFENDER

Other Expenses	\$425.00
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LIABILITY INSURANCE	\$95,000.00
INSURANCE	
Group Insurance for Employees	\$125,000.00
DEFINED CONTR RETIREMENT FUND	\$ 500.00
BOND PRINCIPAL.....	\$
BOND INTEREST	\$
BAN PAYMENT.....	\$

TOTAL \$ 844,350.00

WASTEWATER UTILITY	
Salaries and Wages	\$ 77,000.00
Other Expenses	\$ 137,000.00
Capital Fund.....	\$.00
Bond Principal .	\$.00
Bond Interest....	\$.00
OASI	\$10,000.00
Unemployment Compensation...	\$500.00
.....	TOTAL \$ 224,500.00

Mayor Weiss introduced Resolution Number 2-10, seconded by Councilman Casey

**RESOLUTION NUMBER 2-10
A RESOLUTION APPROPRIATING DEBT SERVICE REQUIREMENTS**

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, 2010 to March 31, 2010, 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, 2010 to March 31, 2010.

DEBT SERVICE – Current Fund:

Interest on bonds – due 2/15/10	\$ 24,300.63
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 1/1/10	\$ 15,533.75
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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

Mayor Weiss introduced Resolution Number 3-10, seconded by Councilman Lackey

**RESOLUTION NUMBER 3-10
A RESOLUTION APPOINTING A MUNICIPAL COURT JUDGE**

WHEREAS, the current Municipal Court Judge term of James M. Vogdes, III, Esq. expired on December 31, 2009; and

WHEREAS, the Borough of Medford Lakes desires to appoint James M. Vogdes, III, Esquire as Municipal Court Judge; and

WHEREAS, James M. Vogdes, III, Esquire is qualified to serve as Municipal Court Judge; and

WHEREAS, the term for said office is established by N.J.S.A 2B:12-4; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford lakes, County of Burlington, State of New Jersey, that James M. Vogdes, III, Esquire, be and is hereby appointed as Municipal Court Judge for the Borough of Medford Lakes for a three (3) year term commencing January 1, 2010 and terminating December 31, 2012; and

BE IT FURTHER RESOLVED, the salary for same shall be set by the Municipal Salary Ordinance. The Salary shall cover twelve-(12) court sessions per year and any additional Court Sessions that may be required to properly administrate the Municipal Court.

Councilman Casey stated this is a re-appointment for an additional three year term.

Councilman Lackey expressed concern about the process for the hiring of professionals.

Solicitor Lange provided a synopsis of the process of appointing a Municipal Court Judge.

Councilman Casey expressed his support for the appointment of Mr. Vogdes.

Solicitor Lange recommended that the professional contract resolutions be amended to reflect the language "contracts subject to review of the Borough Solicitor".

Council agreed to the recommendation of Solicitor Lange.

Mayor Weiss introduced Resolution Number 4-10, seconded by Councilman Casey

RESOLUTION NUMBER 4-10

APPOINTMENT OF A PUBLIC DEFENDER AND SUBSTITUTE PUBLIC DEFENDER

WHEREAS, the Borough of Medford Lakes has a need to acquire a Public Defender and Substitute Public Defender pursuant to the provisions of N.J.S.A. 40A: 11-2(6); and

WHEREAS, the anticipated term of this contract is for one year ending December 31, 2010; and

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

WHEREAS, this is a professional services contract rendered or performed by a person authorized to practice a recognized profession, whose practice is regulated by law and requires knowledge of an advanced type in accordance with N.J.S.A. 40A: 11-2(6); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Ann Marie Emmons, Esq. be and hereby is appointed Public Defender and James D. Fattorini, Esq. be and hereby is appointed Substitute Public Defender, both positions of the Borough of Medford Lakes for the term ending December 31, 2010; and

BE IT FURTHER RESOLVED that this appointment and contract be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95, Mandatory Affirmative Action Language and Mandatory Americans with Disabilities Act Language.

No discussion.

Mayor Weiss introduced Resolution Number 5-10, seconded by Councilman Casey

RESOLUTION NUMBER: 5-10
APPOINTMENT OF PROSECUTOR AND SUBSTITUTE PROSECUTOR

WHEREAS, the Borough of Medford Lakes has a need to acquire a Prosecutor and a Substitute Prosecutor as a Professional Services Contract; and

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

WHEREAS, this is a professional services contract rendered or performed by a person authorized to practice a recognized profession, whose practice is regulated by law and requires knowledge of an advanced type in accordance from N.J.S.A. 40A:11-2(6); 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, New Jersey that Mark P. Tarantino, Esq. be and hereby is appointed Prosecutor of the Borough of Medford Lakes for the term ending December 31, 2010 and Frank P. Cavallo, Jr. is appointed as Substitute Prosecutor of Medford Lakes for the term ending December 31, 2010; and

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

BE IT FURTHER RESOLVED that this appointment and contract be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95, Mandatory Affirmative Action Language and Mandatory Americans with Disabilities Act Language.

No discussion

Mayor Weiss introduced Resolution Number 6-10, seconded by Councilman Casey

RESOLUTION NUMBER: 6-10

**ESTABLISHMENT OF SCHEDULE OF REGULAR AND WORKSHOP MEETINGS
FOR THE YEAR 2010**

WHEREAS, the Open Public Meeting Law effective January 19, 1976 provides for the compilation and dissemination of a schedule of regular meetings for public bodies.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that the following be and hereby is a compilation of Regular meetings and Workshop meetings to be held by this Council during the year.

BE IT FURTHER RESOLVED In compliance with the Open Public Meetings Law PL 1975 C. 23,1, the Borough Council of the Borough of Medford Lakes disseminates the following **Annual Notice** of the schedule of meetings to be held during the calendar year 2010. All meetings (unless noticed) will commence at 7:30 PM prevailing time, in Oaks Hall, at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ 08055 on the following dates:

Regular Meeting

- January 13, 2010
- February 10, 2010
- March 10, 2010
- April 14, 2010
- May 12, 2010
- June 09, 2010
- REORGANIZATION JULY 1, 2010*
- July 14, 2010
- August 11, 2010
- September 08, 2010
- October 13, 2010
- November 10, 2010
- December 08, 2010

Workshop Meeting

- January 27, 2010
- February 24, 2010
- March 31, 2010
- April 28, 2010
- May 26, 2010
- June 23, 2010
- July 28, 2010
- August 25, 2010
- September 22, 2010
- October 27, 2010
- November 24, 2010
- December 22, 2010

Official action may be taken at these meetings

*This meeting will take place at 12:00pm

No discussion

Solicitor Lange distributed a Resolution for Council to consider.

Councilman Casey introduced Resolution Number 7-10, seconded by Mayor Weiss

RESOLUTION NUMBER 7-10

A RESOLUTION OF THE MEDFORD LAKES BOROUGH COUNCIL

WHEREAS, Julie Horner-Keizer has previously served as Borough Manager and Municipal Clerk; and

WHEREAS, the office of Borough Manger has become unexpectedly vacant due to the resignation of the Manager; and

WHEREAS, Ms. Keizer has agreed to act as interim part time Manager in order to fill the unexpected vacancy; and

WHEREAS, Ms. Keizer has performed the duties of Borough Manager in a professional and competent manner and proved to be an invaluable and respected member of the Medford Lakes Borough staff.

NOW THEREFORE, be it resolved as follows:

The Medford Lakes Borough Council does hereby appoint Julie Horner Keizer as the interim part time Borough Manger in accordance with the attached letter agreement covering the terms and conditions of her employment as approved by the Borough Solicitor.

COUNCIL

Councilman Lackey expressed concern that there were no recommendations regarding appointments for the Judge or the Prosecutor.

Mayor Weiss asked Chief Martine for his opinion on the appointments.

Chief Martine stated that he does not recommend re-appointment of Judge Vodges but does support the re- appointment of the Prosecutor and Public Defender.

The Borough Council and Chief Martine had an open discussion relating to the appointment of the Judge, Prosecutor and Public Defender.

PUBLIC COMMENT

David Wasson, 97 Wabun Trail: Extended New Year's greetings to those in attendance, and asked that the Borough Council, employees and residents all work together for a better Medford Lakes.

Mayor Weiss closed public comment

RESOLUTION ADOPTION

Mayor Weiss asked the Clerk to call the vote for Resolution Number 1-10

Vote to adopt

Yea – Weiss, Casey, Lackey

Nay – None

Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 2-10

Vote to adopt

Yea – Weiss, Casey, Lackey

Nay – None

Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 3-10

Vote to adopt

Yea – Weiss, Casey

Nay – Lackey

Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 4-10

Vote to adopt

Yea – Weiss, Casey
Nay – Lackey
Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 5-10

Vote to adopt

Yea – Weiss, Casey
Nay – Lackey
Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 6-10

Vote to adopt

Yea – Weiss, Casey, Lackey
Nay – None
Resolution Adopted

Mayor Weiss asked the Clerk to call the vote for Resolution Number 7-10

Vote to adopt

Yea – Casey, Weiss, Lackey
Nay – None
Resolution Adopted

Mayor Weiss motions to adjourn the Special Meeting, seconded by Councilman Lackey

VOTE TO ADJOURN SPECIAL MEETING

Ayes: Weiss, Lackey, Casey
Nays: None
Motion carries