

**BOROUGH OF MEDFORD LAKES, NEW JERSEY**

**WORKSHOP MEETING**

**MAY 26, 2010**

A workshop 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 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 workshop meeting has 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 posting 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.

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**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/Clerk Mark J. McIntosh, Police Chief Frank Martine and Solicitor Peter C. Lange, Jr.

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**PUBLIC COMMENT #1**

*Mayor Weiss opened the meeting for public comment.*

*Hearing none, Mayor Weiss closed public comment.*

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**MINUTES**

*Mayor Weiss motioned for approval/adoption of the May 10, 2010 Budget Workshop meeting minutes, seconded by Councilman Lackey*

Vote to approve/adopt

Yeas – Weiss, Lackey, Casey

Nays – None

Minutes approved/adopted

*Mayor Weiss motioned for approval/adoption of the May 12, 2010 Regular Session meeting minutes, seconded by Councilman Lackey*

Vote to approve/adopt

Yeas – Weiss, Lackey, Casey

Nays – None

Minutes approved/adopted

*Mayor Weiss motioned for approval/adoption of the May 12, 2010 Executive Session meeting minutes, seconded by Councilman Casey*

Vote to approve/adopt

Yeas – Weiss, Casey, Lackey

Nays – None

Minutes approved/adopted

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## **REPORTS**

Clerk McIntosh submitted a written report and advised Council that he was looking at the history of his elections to see if there could be some adjustments made in the budget. He also informed Council that the FEMA project worksheets from the February storm had been finalized and submitted to the FEMA and NJOEM representatives.

Solicitor Lange provided Council with a fee schedule for handling Tax Appeals relative to the recent Borough wide revaluation and he stated that he was still working on the Traffic Ordinance.

7:40PM – Interim Manager Julie L. Horner – Keizer arrived at the meeting.

Manager Horner- Keizer provided a written report.

*Councilman Casey asked for a status update on the new Tax Assessor.*

Manager Horner-Keizer stated that she was extremely pleased with his professionalism and open-line of communication. She further stated that she has a meeting with the Assessor and Solicitor Lange tomorrow to discuss the recent revaluation.

*Council discussed the Solicitor's proposed agreement to negotiate tax appeals. No action was taken.*

Manager Horner-Keizer provided to Council the most recent draft of the proposed 2010 Municipal Budget. She noted that she was \$16,000 shy of a having no increase in the municipal rate.

*Council and the Manager discussed various budget issues including concern that contingencies were still in the payroll budgets; the Borough was still awaiting final proposals for the Construction Department shared services agreement. Council recommended that any additional budget cuts come from salary contingencies.*

Manager Horner-Keizer stated that she had met with Planning Board Chairman Dave Crane and they discussed having the Planning Board take the lead on drafting revisions to the Home Occupation Ordinance and a Solar Panel Ordinance.

*Councilman Lackey requested that the Planning Board provide those drafts in a timely manner for Council to review and prepare for introduction and adoption.*

*Council and the Manager discussed the FEMA letter provided as an attachment in the Manager's report. Mayor Weiss expressed disappointment in the content of the letter.*

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## **CONSENT AGENDA RESOLUTIONS**

*Mayor Weiss asked if any items listed on the consent agenda needed to be removed.*

*Council agreed to remove Resolution Numbers 95-10, 99-10, 100-10 and 101-10*

Mayor Weiss introduced for adoption consent resolutions numbered 96-10, 97-10 and 98-10, seconded by Councilman Casey.

**RESOLUTION NUMBER 96-10**

**A RESOLUTION AUTHORIZING THE SECOND-HALF REFUND OF A PLUMBING AND STREET OPENING PERMIT FOR 46 NATCHEZ TRAIL ALSO KNOWN AS BLOCK #30066, LOT #2758, IN THE AMOUNT OF \$750.00**

**WHEREAS**, on certain occasions a maintenance bond is required between a contractor and the Borough of Medford Lakes; and

**WHEREAS**, once the requirement causing the need for the bond is met by the contractor there is due the second-half installment to the permit applicant; and

**WHEREAS**, on May 19, 2010 the Public Works Department and Construction Official authorized the refund of the second-half of the bond that is no longer required to be kept.

**THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the following applicant receives a second-half/final refund of their maintenance bond:

<u>Applicant</u>	<u>Amount of refund</u>	<u>Project Address</u>
Thea Sterback 46 Natchez Trail Medford Lakes, NJ 08055	\$750.00	46 Natchez Trail

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**RESOLUTION NUMBER 97-10**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE RENEWAL OF A PLENARY RETAIL ALCOHOLIC BEVERAGE LICENSE TO THE MEDFORD LAKES ENTERPRISES, DBA P.J. WHELIHAN'S**

**WHEREAS**, Medford Lakes Enterprises, dba P.J. Whelihan's has duly complied with the requirements of the State law relative to the renewal of a Retail Liquor License; and,

**WHEREAS**, the Chief of Police has advised Council that following his investigation, there have been no problems associated with the retail license; and,

**WHEREAS**, said Medford Lakes Enterprises, dba P.J. Whelihan's is known by the Mayor and Council to be a fit and competent party to receive a License.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, New Jersey that upon payment by the Medford Lakes Enterprises, dba P.J. Whelihan's to the Chief Finance Officer of the fee provided by Ordinance, the Borough Clerk is hereby authorized and directed to issue and deliver unto said Medford Lakes Enterprises, dba P.J. Whelihan's a license #0321-33-001-002. The license to be named therein is Medford Lakes Enterprises, dba P.J. Whelihan's. The location of the Licensee's premises is Medford Lakes Enterprises, dba P.J. Whelihan's, 61 Stokes Road, Medford Lakes, New Jersey.

**BE IT FURTHER RESOLVED** that the License shall be effective July 1, 2010 until June 30, 2011 unless revoked prior thereto for cause.

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**RESOLUTION NUMBER 98-10**

**A RESOLUTION APPROVING MEDFORD LAKES FARMER'S MARKET EXEMPTION FROM VENDOR PERMITTING AND AUTHORIZING THE BOROUGH MANAGER TO APPROVE FARMER'S MARKET VENDORS ON A WEEKLY BASIS**

**WHEREAS**, the Medford Lakes Farmer's Market is of Borough wide interest; and

**WHEREAS**, the Medford Lakes Farmer's Market is being held in conjunction with the State of New Jersey Department of Agriculture's Jersey Fresh Program; and

**WHEREAS**, the Borough of Medford Lakes wishes to grant an exemption from the required vendor permit and authorize the Borough Manager to approve on a weekly basis the market vendors.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that the Medford Lakes Farmer's Market is exempted from vendor permitting for the purpose of participating in the market.

**BE IT FURTHER RESOLVED** that the Borough manager is hereby authorized to approve the market vendors on a weekly basis.

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**RESOLUTIONS**

*Mayor Weiss introduced Resolution Number 95-10, seconded by Councilman Lackey*

**RESOLUTION NUMBER 95-10**

**A RESOLUTION AUTHORIZING THE SECOND-HALF REFUND OF A PLUMBING AND STREET OPENING PERMIT FOR 18 LENAPE TRAIL ALSO KNOWN AS BLOCK #30063, LOT #2686, IN THE AMOUNT OF \$750.00**

**WHEREAS**, on certain occasions a maintenance bond is required between a contractor and the Borough of Medford Lakes; and

**WHEREAS**, once the requirement causing the need for the bond is met by the contractor there is due the second-half installment to the permit applicant; and

**WHEREAS**, on May 19, 2010 the Public Works Department and Construction Official authorized the refund of the second-half of the bond that is no longer required to be kept.

**THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the following applicant receives a second-half/final refund of their maintenance bond:

<u>Applicant</u>	<u>Amount of refund</u>	<u>Project Address</u>
Anne Hauck 18 Lenape Trail Medford Lakes, NJ 08055	\$750.00	18 Lenape Trail

*Councilman Lackey expressed concern over the maintenance bond for these street openings.*

*Manager Horner- Keizer stated that the Ordinance needed to be revised to address the long-term maintenance and extended costs incurred by the Borough. A draft of the revisions would be provided to Council once developed.*

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*Mayor Weiss introduced Resolution Number 99-10, seconded by Councilman Lackey*

**RESOLUTION NUMBER 99-10**

**A RESOLUTION SUPPORTING THE JUNE 4<sup>TH</sup> TO JUNE 5<sup>TH</sup> PADDLE-A-THON AND AUTHORIZING DISCRETIONARY ENFORCEMENT OF ORDINANCE NUMBER 480, AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES ENTITLED, "REGULATION OF NOISE WITHIN THE BOROUGH",**

**WHEREAS**, on Friday, June 4, 2010 from 5:00pm to 5:00pm on Saturday, June 5, 2010 the Medford Lakes Colony is hosting a Paddle-a-thon as a charitable event ; and

**WHEREAS**, the Colony would like to hold this 24-hour continuous event with limited disruption to area residents; and

**WHEREAS**, it is in the best interest of this charitable event that certain Ordinances of the Borough of Medford Lakes be enforced at the discretion of the Medford Lakes Police Department during the period of time during which the paddle-a-thon is to be held.

**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 Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates discretionary enforcement of Ordinance Number 480; and
2. The aforementioned temporary condition shall be between 5:00pm June 4, 2010 and 5:00pm on June 5, 2010; and
3. The Chief of Police of the Borough of Medford Lakes receives a copy of this resolution.

*Councilman Lackey expressed concern over inadequate notice provided to the Lower Aetna residents.*

*Council and Chief Martine discussed allowing greater Police Officer discretion in enforcing the local Ordinances during this event.*

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*Councilman Casey introduced Resolution Number 100-10, seconded by Mayor Weiss*

**RESOLUTION NUMBER 100-10**

**A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY APPOINTING JULIE L. HORNER-KEIZER AS  
MUNICIPAL MANAGER FOR THE BOROUGH OF MEDFORD LAKES**

**WHEREAS**, there exists a vacancy in the office of Municipal Manager within the Borough of Medford Lakes; and

**WHEREAS**, Julie L. Horner-Keizer has been serving as the Interim Municipal Manager within the Borough of Medford Lakes since January 4, 2010; and

**WHEREAS**, the Borough Council wishes to appoint Julie L. Horner-Keizer as Municipal Manager; and

**WHEREAS**, the term for said office is established by N.J.S.A. 40A:79-1, et seq;

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

1. Julie L. Horner-Keizer be and hereby is appointed as Municipal Manager, for a term commencing on May 26, 2010 at a salary of \$75,000 per annum.
2. That an executed Employment Agreement is attached hereto and made a part of this Resolution.

*Councilman Casey stated that he has proudly served on Council for twelve years and that his first and second best decisions were originally appointing Julie in 2001 and then today, reappointing her.*

*Mayor Weiss stated that Julie has brought demonstrative leadership to the Borough which has been lacking.*

*Councilman Lackey echoed the same sentiments and believes that her experience and leadership will be invaluable to the incoming new Council.*

*Manager Horner-Keizer thanked Council for their kind words and stated that the residents and employees of the Borough have always had a special place in her heart and she looked forward to serving them.*

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*Mayor Weiss introduced Resolution Number 101-10, seconded for discussion by Councilman Lackey*

**RESOLUTION NUMBER 101-10**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES  
ENDORING AND SUPPORTING GOVERNOR CHRIS CHRISTIE'S PROPOSAL TO PLACE A 2.5%  
CAP ON ANNUAL PROPERTY TAX INCREASES AND FURTHER ENDORSING THE GOVERNOR'S  
PLAN TO INITIATE FINANCIAL REFORMS ON THE STATE AND LOCAL LEVELS OF  
GOVERNMENT**

**WHEREAS**, the residents of New Jersey pay the highest property taxes in the United States; and

**WHEREAS**, this confiscatory tax has driven many residents and businesses to leave the State; and

**WHEREAS**, the State's fiscal and economic woes have spiraled out of control for at least the past thirty (30) years and have been the product of several factors including but not limited to the imposition of State and

Federal unfunded mandates on county and local governments, a binding police and firefighter interest arbitration process, significant pay-outs of vacation and sick time to public retirees, negotiated collective bargaining agreements that exceed in many cases the 4% tax levy cap and cost of living, and a general out of control spending and mismanagement of fiscal affairs by prior State Administrators, and excessive spending at all levels of government; and

**WHEREAS**, the current recession with double digit unemployment, foreclosures and the downsizing of many businesses and industries have all contributed to a colossal loss of revenue to the State Treasury complicating the State's already troubled financial ratings; and

**WHEREAS**, faced with the prospect of bankruptcy and financial chaos, Governor Chris Christie has proposed a bold program to rein in spending and close a projected \$10.7 billion budget gap for fiscal year 2010-2011; and

**WHEREAS**, Governor Christie is proposing to cap annual property tax increases at 2.5%; and

**WHEREAS**, in order to implement a 2.5% cap on property taxes, the Legislature would have to approve a State-wide voter referendum that would result in a constitutional amendment if the measure succeeded; and

**WHEREAS**, the Borough Council believes that Governor Christie has shown great leadership by taking the bull by the horns and not shirking from his responsibilities by proposing a comprehensive program that is intended to cure the State's financial ills and put it back on the road to recovery; and

**WHEREAS**, the Borough Council further believes that the Governor's plan to impose a 2.5% limit on property tax increases is the only way to stop uncontrollable spending by municipalities, school districts and other local government entities;

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

1. The governing body endorses and fully supports Governor Chris Christie's proposal to place a 2.5% cap on annual property tax increases through a constitutional amendment.
2. To help the State on the road back from financial disaster to a state of prosperity, the governing body believes that the Governor's comprehensive plan for fiscal management and austerity is the way to initiate true financial reform.
3. That a certified copy of this resolution shall be transmitted to Governor Chris Christie, Senate President Stephen Sweeney, Speaker of the General Assembly Sheila Oliver, the members of the Burlington County Legislative Delegation and all Burlington County municipalities.

*Council discussed the wording and language of the resolution. Councilman Lackey was concerned with the political tone of the Resolution. Mayor Weiss stated that it can be rewritten without the heavy partisan overtones.*

*Mayor Weiss motioned to table Resolution Number 101-10, seconded by Councilman Lackey*

Vote to table Resolution Number 101-10

Yeas – Weiss, Lackey

Nays – Casey

Resolution tabled

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## OLD BUSINESS

*Council and the Manager discussed the current sick time policy. Mayor Weiss asked that the Manager draft language to amend the policy manual regarding employee sick time and donation of time and Council recommended the draft proposal be run by the Joint Insurance Fund for any conflict.*

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**PUBLIC COMMENT #2**

*Mayor Weiss opened the meeting for public comment.*

*Hearing none, Mayor Weiss closed public comment*

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**CONSENT AGENDA RESOLUTIONS VOTE**

*Mayor Weiss called for the vote to adopt consent resolutions numbered 96-10, 97-10 and 98-10.*

**VOTE TO ADOPT CONSENT RESOLUTIONS**

Ayes: Weiss, Casey, Lackey

Nays: None

Resolutions Adopted

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**VOTE ON RESOLUTIONS**

**VOTE ON RESOLUTION NUMBER 95-10**

Ayes: Weiss, Casey, Lackey

Nays: None

Resolution Adopted

**VOTE ON RESOLUTION NUMBER 99-10**

Ayes: Weiss, Casey, Lackey

Nays: None

Resolution Adopted

**VOTE ON RESOLUTION NUMBER 100-10**

Ayes: Casey, Weiss, Lackey

Nays: None

Resolution Adopted

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**CORRESPONDENCE**

Council and the Manager discussed the two letters from Tom Heck, Construction Official. The solar panel issue will be forwarded to the Planning Board for recommendations and the street opening issue will be handled by Borough Administration.

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*Mayor Weiss motioned to adjourn the meeting, seconded by Councilman Casey*

Vote to Adjourn

Yeas – Weiss, Casey, Lackey

Nays – None

Meeting Adjourned