

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
JUNE 14, 2001**

The joint meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, and the Medford Lakes School Board was held on the above date in Oaks Hall Council Chambers beginning at 7:35pm. Mayor Casey presided. Following the Pledge of Allegiance, Mayor Casey read the Statement of Compliance with the Open Public Meetings Act. This is to announce that adequate notice in the form of Notice of Meetings was (1) posted on the Administration Building bulletin board, (2) mailed to The Central Record, Medford, NJ, (3) mailed to the Burlington County Times, Willingboro, NJ, (4) mailed to the Courier Post, Cherry Hill, NJ, and (5) filed with the Municipal Clerk. Advance written notice of this meeting was mailed to all persons who requested such notice according to the Clerk of the Municipality.

Answering Roll Call for Borough Council were: Mayor Timothy S. Casey, Councilman Joseph A. Aromando, and Councilman Gary F. Woodend. Also present were Manager Julie Keizer and Solicitor Vogdes.

**PUBLIC COMMENT**

Pat Stevens, 120 McKendimen Road, advised Council he lives at the corner of McKendimen and Tabernacle Roads. It is a dangerous intersection, and asked if Council would consider a "Hidden Driveway" sign prior to the intersection, which could help his family when exiting from the property. Chief Scott advised the Borough had the authority to put up the sign. Manager Keizer will have the sign installed.

**PAYMENT OF BILLS**

Councilman Woodend made a motion, seconded by Councilman Aromando, to approve payment of the bills on the Bills List.

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**APPROVAL OF MINUTES**

Mayor Casey made a motion, seconded by Councilman Aromando, to approve amended minutes of the May 24, 2001, Regular Council Meeting.

VOTE TO APPROVE AMENDED MINUTES

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**ORDINANCES**

Mayor Casey introduced the following ordinance on second and final reading, seconded by Councilman Woodend:

**ORDINANCE 467 – SECOND AND FINAL READING  
AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR EACH EMPLOYEE AND OFFICER OF THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2001, AND SPECIFYING THE METHOD OF PAYMENT THEREOF**

**BE IT ORDAINED** by the Borough Council of the Borough of Medford Lakes in the County of Burlington, New Jersey that:

**Section 1.** The following salaries designated herein are fixed on an annual basis respective to the position listed below. All employees may be paid weekly or bi-weekly.

**Administration**

Title	Salary Range
Mayor and Council	\$1,700.00
Municipal Manager	\$18,333.00
Municipal Clerk	\$18,333.00
Chief Finance Officer	\$18,333.00
Clerical Staff	\$13,000.00 to \$33,100.00
Part Time Clerical	Per Hour \$5.00 to \$10.50
Tax Assessor	\$13,718.00
Tax Collector	30,000.00
Sewer Collector	\$12,000.00
Director of Public Assistance	\$1,499.00
Recycling Coordinator	\$5,537.00
Solicitor	\$23,000.00
Secretary to the Historic Commission	\$2,376.00
Secretary to the Planning Board	\$3,992.00
Prosecutor	\$5,336.00
Public Defender	\$2,658.00
Borough Council Meeting Secretary - \$125.00 for each Council Meeting	

Overtime compensation for clerical assistants for hours worked in excess of the regular work week (35 Hours) shall be at time and one-half rates.

**Municipal Court**

Judge	\$8,296.00
Municipal Court Administrator	\$26,569.00
Deputy Court Administrator	\$50.00 per court session & \$25.00 for each call-in

**Police Department**

Chief of Police	\$75,000.00
Lieutenant	\$65,600.00
Crossing Guards	Per Hour \$5.88 to \$10.66
Special Police	Per Hour \$5.88 to \$12.00

**Code Enforcement**

Construction Official		\$10,000.00
Electrical Sub-code Official		\$3,132.60
Plumbing Sub-code Official		\$3,132.60
Fire Sub-code Official		\$3,132.60
Code Enforcement Officer		\$4,500.00

**Emergency Management**

Emergency Management Coordinator		\$2,377.00
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**Bureau of Fire Prevention**

Fire Official		\$3,500.00
Fire Inspector		\$1,350.00
Fire Administrator		\$4,500.00

**Public Works/Sanitation**

Superintendent		\$60,166.00
Foreman	Per hour	\$13.00 to \$19.50
Laborer Class C	Per hour	\$7.00 to \$11.00
Laborer Class B	Per hour	\$9.00 to \$13.12
Laborer Class A	Per hour	\$11.00 to \$16.50

**Wastewater Treatment Utility**

Superintendent		\$58,560.00
Operator's Assistant	Per hour	\$11.62 to \$15.98
Laborers	Per hour	\$7.00 to \$15.25

Overtime compensation for hours worked in excess of the regular work week (40 hours) shall be at time and one-half rates.

**Section 2.** The rates of salaries stated herein are the maximum rates and ranges. Employees may be paid up to these ranges at the discretion of the Municipal Manager.

**Section 3.** The Manager, at his discretion, can hire replacement employees up to and including the present maximum rates as set forth in this Ordinance.

**Section 4.** Members of the Police Department entitled to additional compensation for authorized duty in excess of the hours of ordinary duty or for allowances of expenses and promotion of officers shall be paid for such excess hours, expenses and promotions in accordance with the agreement made between the Borough of Medford Lakes and the Medford Lakes Police Officers Association. Such compensation however; shall not be less than permitted by applicable State and Federal Law.

**Section 5.** Longevity - All full time salaried and hourly employees shall be entitled to a longevity payment in November of the calendar year in which the second anniversary of continuous employment occurs, and annually thereafter. The annual longevity payment, upon entitlement, shall be calculated at the rate of \$100.00 per year of continuous employment ending in that calendar year provided however, that the annual longevity payment shall not exceed 7% of the current year's salary, or in the case of hourly employees, the annual regular time

compensation based on 2,080 hours times the current hourly rate. In the event that an employee who is otherwise eligible for a longevity payment, terminates his/her employment with the Borough prior to the time when such payments are regularly paid, he/she shall be entitled to a pro rated payment as of the date employment with the Borough terminated.

**Section 6.** Shift Differential - Members of the Police Department who are regularly assigned to continuous operation shifts or twenty-four rotating shift work, shall be paid a shift differential equal to two per cent (2%) of the employee's base wages for the year. Such payment shall be made in a lump sum amount annually with the last regular pay period in November. In the event a member terminates employment before the November, payment shall be pro rated and paid upon termination.

**Section 7.** The salaries fixed by the foregoing section of this Ordinance shall respectively in lieu of any and all fees which the respective incumbents of said office might otherwise be entitled by Statute or otherwise by virtue of said office, which fees shall immediately upon collection thereof be paid over to the Chief Finance Officer of the Borough.

**Section 8.** Employee Performance Incentive Program - The Borough Manager may authorize the payment of a one-time lump sum payment bonus of up to \$1,250.00 to any employee in connection with an approved Employee Performance Incentive Program.

**Section 9.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 10.** This Ordinance shall take effect immediately upon its final adoption and publication according to law, but the rate of compensation provided for herein shall become effective as of January 1, 2001.

Councilman Aromando asked about the patrolman and sergeant salaries in the police department. He felt the ordinance was incomplete because they were not listed in the ordinance. Manager Keizer explained she wanted the other employees in the Borough to receive their retro checks at this time, and asked Council to approve the ordinance, to be amended at a later date when the police contract is ratified. Solicitor Vogdes advised approving the salary ordinance and amending it later.

PUBLIC COMMENT:

Pat Stevens, 120 McKendimen Road, asked Council who sets the rates of compensation. Mayor Casey advised him they are set at the time of the budget discussions.

Peg Kantner, 131 Nokomis Trail, stated she had a concern about the Manager's salary. She feels Manager Keizer was started at a low salary and would not be getting a raise for approximately 1½ years. Mayor Casey advised he agreed with Ms. Kantner, and added it would not be a year until she received a raise. He stated the Council would be conducting a performance review of Manager Keizer in executive session after the regular meeting.

VOTE TO APPROVE ORDINANCE 467 ON SECOND AND FINAL READING

Ayes: Casey, Aromando, Woodend

Nays: None

Ordinance carries

Mayor Casey introduced the following Ordinance, seconded by Councilman Woodend:

**ORDINANCE 468 – SECOND AND FINAL READING**

**AN ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS AND RENOVATIONS TO OAKS HALL MUNICIPAL BUILDING AND THE PUBLIC WORKS BUILDING AND ACQUISITION OF A GARBAGE TRUCK IN THE BOROUGH OF MEDFORD LAKES IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY APPROPRIATING \$2,100,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,000,000.00 OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.**

**BE IT ORDAINED** by the Borough Council of the Borough of Medford Lakes, in the County of Burlington and the State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1

The improvement described in Section 3 of this Bond Ordinance is hereby authorized to be undertaken by the Borough of Medford Lakes, New Jersey, as a general improvement. For the improvement or purpose described in Section 3 of this Bond Ordinance, there is hereby appropriated the sum of \$2,100,000.00, including the sum of \$100,000.00 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for Capital Improvement purposes in one or more previously adopted budgets.

Section 2

In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,000,000.00 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3

(A) The improvements hereby authorized and the purposes for which said obligations are to be issued. The estimated costs of each said purpose; the amount of the down payment for each said purpose; the maximum amount obligations to be issued for each said purpose within the limitation of the Local Bond Law are as follows:

PURPOSE/ IMPROVEMENT	ESTIMATED TOTAL COST	DOWN PAYMENT	AMOUNT OF OBLIGATIONS	PERIOD OF USEFULNESS
a. Oaks Hall Municipal Building Renovations	\$1,176,000	\$56,000	\$1,120,000	20 years
b. Renovations to Public Works Building	\$714,000	\$34,000	\$680,000	20 years
c. Acquisition of a Garbage Truck	\$210,000	\$10,000	\$200,000	5 years
<b>TOTAL FOR ALL PROJECTS</b>	<b>\$2,100,000</b>	<b>\$100,000</b>	<b>\$2,000,000</b>	<b>14 Years</b>

(B) The estimated maximum amount of bonds or notes to be issued pursuant to this Bond Ordinance for the improvement or purpose is as stated in Section 2 hereof.

(C) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore, the excess over the estimated maximum amount of bonds or notes to be issued, therefore being the amount of said down payment for said purposes.

Section 4

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Bond Ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time-to-time subject to the provision of N.J.S.A.40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time-to-time at public or private sale and to deliver them to the purchasers thereof upon receipt or payment of the purchase price plus accrued interest from their dates to the date of deliver thereof. The Chief Financial Officer is directed to report in writing to the Governing Body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser.

Section 5

The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and available for inspection.

Section 6

The following additional matters are being determined, declared, recited and stated:

(A) The improvement or purpose described in Section 3 of this Bond Ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(B) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this Bond Ordinance, is fourteen (14) years.

(C) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the Gross Debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$2,000,000.00 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(D) The \$2,000,000.00 appropriated herein includes an aggregate amount not exceeding \$160,000.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20.

Section 7

The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal

Revenue Code of 1986, as amended (“Code”), for “original expenditures”, as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or notes.

The Borough hereby covenants as follows:

(A) It shall take all actions necessary to ensure that the interest paid on the bonds or notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for Federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code.

(B) It will not make any use of the proceeds of the bonds or notes or do or suffer any other action that would cause the bonds or notes to be “arbitrage bonds” as such term is defined in Section 148(a) of the Code and the regulations promulgated thereunder.

(C) It shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the “gross proceeds” (as such term is used in Section 1-048(f) of the Code) or the bonds or notes.

(D) It shall timely file with the Philadelphia, Pennsylvania Service Center of the Internal revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code.

(E) It shall take no action that would cause the bonds or notes to be “federally guaranteed” within the meaning of Section 149(b) of the Code.

Section 8

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the principal of and interest on the obligations without limitation as to the rate or amount.

Section 9

The Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC COMMENT:

Jim Cottingham, 202 Tabernacle Road, had two concerns. He asked if Council was planning to have a sprinkler system installed in the new buildings at Oaks Hall and at DPW. He urged Council to install the sprinklers, especially at DPW, where expensive equipment is housed that could be destroyed in a fire. Mayor Casey stated he had not received the full engineer’s report, but they probably would not be installed under the renovation code. His second concern was about six doors, which he said were not on the architect’s plans. These are interior handicapped doors. He also suggested a drop down baby-changing table. He closed by offering his compliments to Manager Keizer, and advised Council of her wonderful personality.

Eric Hall, 78 Powhatan Trail, also had two concerns. He feels having both projects under construction at the same time will be a hardship for the residents who will pay the bill through their taxes. Since the building at DPW is not condemned, he suggested it be postponed until a later date, possibly as long as five years. He also

suggested putting the bond issue out for a referendum vote. Mayor Casey explained to Mr. Hall that, at the previous public meeting at Vaughan Hall, only one resident had any negative comments about the project. He explained that a referendum vote could not take place until November, 2001, which would put the start of construction into the winter. Mayor Casey added that he felt the public had already had plenty of input into the project, and it was now time to act. Councilman Aromando stated that he agreed with Mr. Hall, and had wanted a referendum vote, but he was outvoted. He added that, with regard to the DPW project, there is a legitimate need to renovate the facility, which is why it was included in the facilities plan. Mr. Hall concluded by stating he felt the Council should have two more members.

Temma Fishman, 210 Chippewa Trail, gave her wholehearted support for the two projects.

Dr. Craig Kesner, 6 Minnetonka Trail, stated he felt Council was misleading the residents about the preservation of Oaks Hall, and also felt Council presumed the public would not want a referendum.

Peter Rogers, 156 Apache Trail, advised Council his wife has worked in the Borough office for 10 years and has continually suffered problems from the poor air quality, due to mold spores.

Mildred Levak, 77 Onondago Trail, stated she had taken a tour of the Borough Hall and found it to be in deplorable condition. She advised Council she felt the building had been allowed to deteriorate, and questioned them about future upkeep of the new facility. Mayor Casey advised her that extensive maintenance had not been performed for years, but that the administration and employees would maintain the new facility. Manager Keizer stated that the feeling had been "not to throw good money after bad" when maintaining the building, but also assured Mrs. Levak that maintenance would be a priority for the new facilities. Councilman Aromando added that he felt guidelines needed to be in place to insure proper maintenance.

Pat Stevens, 120 McKendimen Road, asked Council what part of Oaks Hall would be saved. Mayor Casey advised him that, in all likelihood, only the fireplace wall would remain. Councilman Aromando explained there was more funding available for renovation than for a new facility. Manager Keizer added that the plan was to preserve the feel of the Borough, not the exact structure as it stands now. She also explained the various grants available for the renovation. Mr. Stevens asked what would happen next, after the final reading on the bond ordinance. Mayor Casey explained the architects would submit the full plans and the Borough would then go out for bids. Mr. Stevens asked who would choose the contractors, which would be done by Council with the architects' input. Mr. Stevens questioned the HVAC system. He would like to be involved in inspecting the system, as he is experienced in this area. Manager Keizer explained performance bonds and maintenance bonds, which are posted by the contractor.

Sandy Wilt, 110 Wabun Trail, advised Council she was in favor of the renovation, but also agreed maintenance was a priority. She suggested Council budgeted for maintenance and asked about a committee to routinely check the building.

Bruce Rickert, 67 Lenape Trail, thanked Council for their hard work and asked if they had met with employees to determine their needs for the new building. He also agreed with the need for a new trash truck, but questioned the \$200,000 amount. Manager Keizer explained the quote was for \$160,000, but that \$200,000 was to be bonded for the worst case scenario. Mr. Rickert also asked if the new Whelians restaurant would lower or affect taxes. Manager Keizer explained that it was a ratable, but it was unknown at the present time how it would or would not affect taxes. Councilman Woodend added that the restaurant was not a consideration when they had prepared the budget, but that it could be a tax relief of some sort. Mr. Rickert asked if the furnishings for the new building were included in the bond, which they are. Maintenance is not included in the bond, but Mayor Casey stated he felt the new building would be more energy efficient. Councilman Wooded added he

felt it would cost less for upkeep of the new building than the current facility. Mr. Rickert concluded by asking Council if they had plans for assessment of homes in the Borough for soundness. Councilman Woodend stated he did not think it would be a popular plan with the residents.

Clint Alexander, Borough Historian, stated he felt that Oaks Hall had been allowed to deteriorate, in contrast to the Cathedral of the Woods, which was built at the same time and is in good condition. He felt one of the problems was not enough overhang, which allowed for extensive rain damage.

Council Comments:

Councilman Woodend thanked the public for their comments. He stated he also wanted to preserve the character of Oaks Hall within economic means. He is happy with the plans. With regard to the idea of a bond referendum, Mr. Woodend stated: (1) the building needs to be renovated, (2) the Borough needs to borrow the money to make the renovations, (3) bond rates are very low at the current time, less than 4 ½% and money not used immediately could be invested at 6%, (4) everyone at the meeting at Vaughan Hall was overwhelming in favor of the project without a referendum, and (5) he wanted to move forward with the project.

Councilman Aromando stated he felt a referendum could measure support of the decisions Council had made. He felt Council had made assumptions, rather than doing the leg work required to be sure. With regard to the purchase of a trash truck, he questioned whether purchasing the truck was representative of what all the residents wanted. He does not want to make a decision just to get the project completed; he wants to do it right. He added he cannot, in good conscience, support the bond issue.

VOTE TO APPROVE ORDINANCE 468 ON SECOND AND FINAL READING

Ayes: Casey, Woodend

Nays: Aromando

Ordinance carries

Mayor Casey introduced the following ordinance, seconded by Councilman Aromando:

**ORDINANCE 469 – FIRST READING**

**AN ORDINANCE AMENDING ORDINANCE 457, “A CAPITAL ORDINANCE PROVIDING FOR THE EXTENSION OF THE NAHMA TRAIL SEWER LINE BY THE BOROUGH OF MEDFORD LAKES, AND APPROPRIATING THEREFOR THE SUM OF \$70,000.00 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND,” ADOPTED June 8, 2000.**

**WHEREAS**, the Borough adopted Ordinance No. 457 on June 8, 2000, regarding improvements to Nahma Trail; and,

**WHEREAS**, the Borough wishes to amend said Ordinance;

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

A. SECTION 1 is amended as follows:

SECTION 1. The improvement described in SECTION 2 of this Ordinance is hereby authorized as general improvements to be made by the Borough of Medford Lakes, New Jersey. For said improvements or purposes stated in SECTION 2, there is hereby appropriated the sum of one hundred three thousand, four hundred and eighty dollars (\$103,480.00), and now available in the Sewer Utility Capital Improvement Fund of the Borough of Medford Lakes.

- B. SECTION 2(b) is amended as follows:  
(b) The estimated cost of said purpose is one hundred three thousand, four hundred and eighty dollars (\$103,480.00), which sum is hereby appropriated from the Sewer Utility Capital Improvement Fund.
- C. SECTION 4 is amended as follows:  
SECTION 4. The 2001 Sewer Utility Capital Budget of the Borough of Medford Lakes is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith.
- D. IMPLEMENTATION:  
This Ordinance shall take effect after publication and final passage, according to law.

Manager Keizer explained this ordinance would provide for a gravity feed system, not a pump station. Mayor Casey stated this ordinance affects about six homes on Nahma Trail, which do not have sewer hookup. The Borough will build the line down the roadway, and the homeowners will pay to have the connections made. Councilman Wooded stated he felt more discussion was warranted. The ordinance was scheduled for second reading and public hearing on July 28, 2001.

PUBLIC COMMENT: None

VOTE TO APPROVE ORDINANCE 469 ON FIRST READING

Ayes: Casey, Aromando

Nays: Woodend

Resolution passes

**RESOLUTIONS**

Councilman Aromando made a motion, seconded by Mayor Casey, to remove resolution 69-01 from the table.

**RESOLUTION 69-01**

**A RESOLUTION ACKNOWLEDGING THE RECEIPT AND REVIEW OF THE AUDIT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2000**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2000 has been filed by a Registered Municipal Account with the Clerk of the Borough of Medford Lakes as per the requirements of N.J.S.A. 40A: 5-6 and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S.52:2788-34; and,

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body had reviewed, as a minimum, the section of the annual audit entitled;

GENERAL COMMENTS  
RECOMMENDATIONS

and,

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit and, specifically, the sections of the Annual Audit entitled:

GENERAL COMMENTS  
RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than 45 days after the receipt of the annual audit, as per the requirements of the Local Finance Board; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

**WHEREAS**, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 – to wit: R.S. 52:2788-52 – “A local official or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office.”

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Medford Lakes hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Councilman Woodend explained that this resolution was tabled at the previous Council meeting because he had not had an opportunity to read it.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 69-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution passes

Mayor Casey introduced the following resolution, seconded by Councilman Woodend:

**RESOLUTION 78-01**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO THE SAMARITAN HOSPICE**

**WHEREAS**, the Samaritan Hospice has qualified in the prescribed manner and application to hold an on premises merchandise raffle on June 5, 2001 for a raffle; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the raffle is to be conducted according to law;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, New Jersey, that a license to conduct the aforementioned raffle be and is hereby granted to the Samaritan Hospice.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 78-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution passes

Mayor Casey introduced the following resolution, seconded by Councilman Aromando:

**RESOLUTION 79-01**

**A RESOLUTION HONORING THERESA GRONTKOWSKI FOR ATTAINING THE GIRL SCOUT SILVER AWARD**

**WHEREAS**, Theresa Grontkowski has earned the Girl Scout Silver Award which recognizes self discipline, time management, originality, initiative and mastery of life skills; and

**WHEREAS**, the Borough Council of the Borough of Medford Lakes wishes to acknowledge this accomplishment, and the commitment of Theresa Grontkowski to attain this award was great and is a commendable deed; and,

**WHEREAS**, the time and dedication which Theresa Grontkowski has exhibited through her endeavors in Scouting is a testament to the character and personality of this wonderful young lady;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey that Theresa Grontkowski is hereby awarded the Citizens Award for the Borough of Medford Lakes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 79-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution passes

Mayor Casey introduced the following resolution, seconded by Councilman Woodend:

**RESOLUTION 80-01**

**A RESOLUTION SUPPORTING ASSEMBLY BILL 3506-SENATE BILL 2450 PROVIDING FOR A CHANGE TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM**

**WHEREAS**, the State of New Jersey offers public employees a contributory defined benefit retirement system as permitted by the IRS Code and funded through contributions made by both the employer and employee and investments: and,

**WHEREAS**, the current system created in 1942 provides service retirement membership to receive a benefit based upon 1/70<sup>th</sup> for each year of credible service times their final average salary; and,

**WHEREAS**, in July 1953, the benefit structure was changed to provide for 1/60<sup>th</sup> for each year of credible service times the final average salary; and,

**WHEREAS**, the proposed legislation A3506S2450 will change the multiplier ratio to 1/55<sup>th</sup> for each year of credible services times the final average salary; and,

**WHEREAS**, the PERS has a combination of surplus funds and excess market assets equal to 7.225 billion dollars and employers have received a holiday for the past six years and have not been required to make a contribution; and

**WHEREAS**, employees on average have continued to contribute over 250 million dollars each year helping to create such surplus; and,

**WHEREAS**, employees will continue to contribute in excess of 400 million dollars each year as a method to purchase the enhanced benefits which are to be provided in accordance with the proposed legislation;

**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 supports:

1. The proposed legislation which will permit the employees to purchase the enhanced benefit through continued contributions to the PERS.
2. The current multiplier for PERS is below the national average at 1.67% and the proposed legislation will bring New Jersey close to the national average, which is 1.89%.
3. The legislation is supported because it provides the first step in equalizing the pension system within the State of New Jersey.
4. The legislation will provide much needed relief for retired service members who on average received a pension of \$9,550 a year, which, in light of today's economic pressures, is insufficient.
5. The proposed legislation will serve as an endorsement for creative and talented employees to continue their career with State and Local Government thereby enhancing and providing stability of services.

Manager Keizer explained this the Public Employees Retirement System, the pension for those Borough employees not in Police and Fire. The change will increase the amount of money employees pay into the system, it will not be an added assessment amount to the tax payers. It adjusts the compensation for employees at retirement age.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 80-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

## **CORRESPONDENCE**

Employee Service - Manager Keizer received a letter from Ed Leggoe, thanking Sherry Rockhill for her help with a project on which he was working.

Recycling Grant – the figures for the 1999 recycling grant tonnage awards are available. The Borough received a check in the amount of \$5,131. Manager Keizer thanked Suzanne Frank, Borough Recycling Co-Ordinator, for her hard work.

Second Hand Smoke – the Burlington County Board of Chosen Freeholders would like to give a presentation to Council about the dangers of second hand smoke. Mayor Casey explained the Board would like Council to consider legislation relating to second hand smoke.

### **PUBLIC COMMENT:**

Pat Stevens, 120 McKendimen Road, stated he felt it was a good idea to educate the public.

Dave Wasson, 97 Wabun Trail, suggested the Freeholders make their presentation to the Municipal Alliance.

Manager Keizer will extend an invitation to the Freeholders to speak at a Municipal Alliance Meeting.

Crosswalks – Manager Keizer received a letter from Borough resident Sandra Weiss, requesting a crosswalk across Stokes Road in the are of Comanche Trail and Beach Drive. Chief Scott advised Stokes is a County Road, and they have jurisdiction over any changes made to it. He added that, if it were another crosswalk for school children to use, it would require a crossing guard and they are extremely difficult to recruit. He also said he has a concern for children crossing at Stokes Road and travelling through Medford Pines, due to the lack of supervision in the area. He suggested having the County Highway Commission research the proposal. Manager Keizer will contact the County about the proposal.

Uncollectable Taxes – Council received a letter from Tax Collector Gallo, advising them two properties have been granted fully exempt status as a 100% disabled veteran for this year, two others were taken off the list. The two residents are Michael Arasim , 173 Piute Trail, and John Fox, 50 Algonquin Trail.

Pinelands Ventures – Manager Keizer received a letter requesting a change of bus stop location, from the Municipal Parking Lot on Trading Post Trail. The location for the new stop was unknown. Manager Keizer will contact the transit company for more information.

### **PUBLIC COMMENT:**

Joanne Tragressor, 6 Minnetonka Trail, asked how often cars are parked in the lot with people taking the bus. Councilman Aromando stated he usually observed six or seven cars in the lot between 6:30 and 7:30am.

Parking Spaces – Manager Keizer has been contacted about the parking spaces in the municipal lot. At present, they are ten feet wide, with talk of making them narrower to allow for more spaces in the same area. The person inquiring asked that they remain ten feet wide, to allow for persons loading items into the cars parked there.

## **NEW BUSINESS**

Review of Waste Water Procedures – Waste Water Superintendent Paul Hayden sent a memo to Manager Keizer, advising her of concerns about illegal connections to the sewer system concerning sump pumps. It is

illegal to have a sump pump empty into the sewer system. It costs the Borough to treat extra ground water pumped into the system. Medford Township has an inspection process for sump pumps and an MUA Manager who inspects subdivisions, such as Chipping Woods and Medford Pines, both of which are hooked up to the Medford Lakes sewer system. Mr. Hayden suggested a surcharge for homes with garbage disposals. Councilman Aromando asked about the fee Shawnee High School pays for hookup to the Medford Lakes sewer system, and questioned if it was a fair amount. Solicitor Vogdes explained the fee is set by the engineer; there is nothing in writing. He added statistics are available for usage by businesses, schools, etc. Councilman Woodend would like to have an inspection at the time of closing on sale homes, as is done in Medford Township. Manager Keizer will invite Mr. Hayden to attend the Council meeting on July 28, 2001, to discuss fees, etc.

Police Contract – Manager Keizer explained the contract was invalid because it did not establish the number of police positions. Chief Scott advised that the number of officers in the Department is set by Ordinance; but not the number of positions within the Department. Solicitor Vogdes will investigate and draft an amendment to Ordinance 214.

School Board Liaison Position – the Medford Lakes School Board has asked Council to appoint a liaison to their Facilities Committee. It was decided that Manager Keizer will obtain a schedule of the School Board Meetings and will assign a council member to attend each one.

Fire Vehicle Review – Manager Keizer asked if Council wanted a written procedure of usage for the fire vehicles. Councilman Aromando stated he had previously requested: (1) an explanation in writing as to why the Fire Department needed the extra vehicle and (2) guidelines for usage of the other vehicles by Deputy Chiefs, especially where the cars go and who uses them. He suggested adapting the guidelines used by the Police Department for Borough cars used by police personnel for personal use. Fire Chief Wingert will adapt the Police guidelines. Councilman Aromando asked why the Borough was not making plans to auction the third vehicle, which is at the Fire Department. Manager Keizer explained she wanted to make this a “Borough car” for use by employees when they had to go to school, the bank, run errands, and so forth. She explained the vehicle needed some repairs, but she could have them done at no charge to the Borough. Councilman Woodend stated he felt the use of such a Borough vehicle should be the Manager’s decision and that Council did not need to make a policy decision. Councilman Aromando disagreed, stating he felt the vehicle is a Borough asset, and Council decides what to do with assets. Manager Keizer will prepare a memo for Council with regard to mileage, costs, etc. She added that the Borough assumes responsibility for an employee doing Borough business in his/her own personal vehicle; it would be more professional to have a Borough car.

Whelihan’s Building Height – Councilman Woodend stated he was aware that Whelihan’s planned to have a building height of 40 feet, while Borough Ordinance specifies a height of no more than 35 feet. Mr. Woodend stated he was aware that it was Mr. Prime’s advice that Whelihan’s reduce the height to 35 feet. He added that he wanted a sizable building on the site, and suggested Whelihan’s apply for a variance or Council could amend the Ordinance. Alan Barnes, Planning Board Chairman, feels the Ordinance has several discrepancies. Mayor Casey suggested having Whelihan’s apply for a variance. Solicitor Vogdes suggested the height problem be referred to the Planning Board, and Council could then fix the inconsistencies in the Ordinance.

### **OLD BUSINESS**

Animal Ordinance – hold for June 28, 2001 meeting.

Meeting with Fire Company and First Aid Squad – hold for June 28, 2001 meeting.

Review of Whelihan's Agreement – Councilman Woodend questioned whether or not the Borough had an agreement with the other businesses on Trading Post Trail with regard to parking spaces. He suggested presenting a parking agreement with a life of ten years, which could be revisited after that time. Mayor Casey felt the Borough should tie the parking to use. Councilman Aromando asked if Whelihan's could be made to improve the intersection at Stokes Road and Trading Post Trail as part of the agreement with them. Solicitor Vogdes stated that, while it previously was the practice to require a company to upgrade roadways or utilities, it is no longer legal to do so. Alan Barnes, Planning Board chairman, advised Council that Whelihan's had agreed to improve the municipal parking lot and to include a sand pipe for fire protection. He said the Board would be reluctant to ask them to also make improvements to the intersection.

### **REPORTS**

Solicitor's Report – Solicitor Vogdes stated that, with regard to the police contract, he would advise introducing the ordinance at this meeting if Council was satisfied with it. If not, they could wait to further discuss it in Executive Session, or it could be held until a later date.

Mr. Vogdes also advised Council he had met with Rick Ragan, Ragan Design Group, and Paul Adison, Holberg and Adison. He advised Council that now is the time to negotiate any changes they wanted included in the agreements with the two firms. Manager Keizer stated she was waiting to receive the civil engineers' bids. Mr. Vogdes stated the engineer should be determined in order to finalize the agreement with the architect.

Manager's Report – Manager Keizer advised Council of grant money available for improvements to Trading Post Trail and for bike path construction. Ms. Keizer also advised Council that a solution had been reached for a problem with a fence at a residence on McKendimen Road. She stated a compromise had been reached with Mr. Pat Stevens, 120 McKendimen Road, which was agreeable to Mr. Stevens, his neighbors, and Building Inspector Tom Heck. The compromise includes a four-foot high solid fence to the lakefront.

### **ADJOURNMENT**

Mayor Casey made a motion, seconded by Councilman Aromando, to adjourn to Executive Session.

### **RESOLUTION 81-01**

#### **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 in 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 is as follows:

**MANAGER PERFORMANCE REVIEW  
REVIEW OF MLPOA CONTRACT**

2. That the Borough Council hereby declares that it's discussion of the aforementioned subject(s) may be made public at a time when the Borough Solicitor advised 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.

PUBLIC COMMENT: None

VOTE TO ADJOURN

Ayes: Casey, Aromando, Woodend

Nays: None

Motion Carries

Meeting adjourned at 10:20pm

Respectfully submitted,

Julie Keizer, RMC  
Borough Clerk