

**BOROUGH OF MEDFORD LAKES**  
**REGULAR COUNCIL MEETING**  
**MAY 24, 2001**  
**AMENDED**

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 7:30pm. 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. A member of the Medford Lakes School Board read the compliance statement.

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.

Answering Roll Call for the School Board were: President Marie Hall, Kelly Rickert, Karen Requa, Laurel Thomas, Jacquelin McGinnis, Diana Schiraldi, Superintendent Frank Vanalesti, and Board Attorney Phil Norcross.

Mayor Casey welcomed everyone for the historic, first time joint meeting of the two entities. The meeting is a way to share what the Borough is planning for both the Municipal facilities development and for the School Board to share their progress for improvements. It gives the two groups a chance to work together and to keep each other apprised progress.

Mayor Casey advised the audience and School Board members of the formal presentation of the building projects, which was held in Vaughan Hall at the May 10, 2001, Council Meeting. He gave a background of the need for the building projects. In 1997, a survey was taken of the residents concerning the need for renovation. An advisory committee, which included Mr. Aromando and Mr. Woodend, gave recommendations to the Borough. For the Oaks Hall project, Mayor Casey explained the need for extra space in the Police Department, and the AOC requirement that the judge have a conference room. For the DWP project, Mayor Casey explained that the facility there is basically two halves – the front half houses the Fire Department, and is in fairly good shape. The back half is the garage and a pole barn, which will be demolished and rebuilt to make room for offices and storage, connects the two halves. He explained that the Borough is working to house all Borough vehicles, which will extend their life span. Another new building will be a doublewide garage type structure to be built in the area where the recycling bins are now. It will be used to house the Emergency Squad equipment and the Lion's Club cabulance. Mayor Casey explained the cost: \$960,000 for the Oaks Hall project and \$680,000 for the DPW project, for a total of \$1.6 million. Council will bond for \$1.8 million, with the extra used for engineering costs, furnishings, and any other extras that occur. He stated Manager Keizer is currently working toward obtaining grants, which could help offset the cost, including an ADA Compliance grant, a Community Development Block Grant, and a Historical Preservation grant. By renovating an existing structure, the Borough does not have to comply with some existing regulations for new structures. Council will introduce the Bond Ordinance at this meeting and hopes to obtain the money quickly. It can then be invested at a higher interest rate, and used as needed. With the receipt of grant money, bulk payments can be made. The Oaks Hall project will be completed first, leaving a large amount of money earning interest for up to one year. The Borough was able to obtain a portable trailer from Evesham Township for \$1.00, which will be refurbished. Police Department and Administration personnel will move into it while the Oaks Hall project is completed, which is scheduled to take nine months to

one year. Then DPW personnel will move into the trailer while that project is completed. The Public Hearing and final reading of the Bond Ordinance will be at the June 14, 2001 meeting.

Mayor Casey then opened the meeting to questions from of the School Board. A question was asked about when the Borough expected to know how much, if any, grant money was to be received. Manager Keizer stated she should be advised of any money from the Community Development grant by fall, and any other grants should be decided by the end of the year. She also explained the process for applying for the grants, what they are given for, and that she will be the one making application. Mayor Casey advised that Manager Keizer hoped to receive 20-25% if the building costs in grant money, or up to \$400,000.

School Superintendent Vanalesti stated he has been a grant coordinator in the past. He added he is happy the Borough is going in this direction and offered his help in any way it was needed. He asked if the grants were entitlement or competitive grants. Manager Keizer stated that, although the Community Development and ADA grants are competitive, the Borough is almost assured of receiving money. The Historic Preservation and Cultural grants are strictly competitive.

There were no other questions of Council concerning the two building projects.

School Board Chairperson Marie Hall then gave an overview of the issues concerning the Borough's schools. She explained that funding is available through a 2000 Construction Act, under which the district could receive up to 40% of some construction costs from the State. She stated it was not the condition of the schools that brought the Board to this point, but the availability of money from the State. She stressed that the Board was at the very beginning of the process, but hoped to have a proposal ready by the end of the year. Mrs. Hall stated that the time limit makes it imperative that action be taken now, as the available money may be granted to other districts. The Board completed the required Long Range Facilities Plan, which gives the State an idea of the condition of the district and allows them to evaluate the needs of the district. Medford Lakes has not received approval of the LRFP as of this date. Because the School Board is not a tax-levying entity, it must go before the public for money. The Board held a meeting with the public, to get an idea of the public perception of the school facilities, and what was needed. An architect did a walk-thru of the facilities, to make suggestions from that standpoint. The Board also has ADA requirements to abide by, as does Borough Council, and there are safety issues to be addressed. The LRFP was completed using State software, which limited the amount of personalized input the Board could add about the district. The Board is now in the process of completing a "schematic plan" to help determine what is needed, including modernization. The windows are original, which makes them 40 year old, which affects operation and cost efficiency.

An Ad Hoc Facilities Committee has been formed, including members of the School Board and the public, to determine what the public feels needs to be done. The Board wants the public involved right from the beginning, and wants to educate the public on the process. They would also like to have a member of Borough Council on the committee, to keep both governing bodies apprised and updated. The committee will put together a proposal indicating what they and the community feel the schools need. She advised that information is available on the Borough website, and at the superintendent's Office. The Board would like the public to be as informed as possible.

Superintendent Vanalesti thanked Borough Council and the School Board for its collaborative effort for the best of the community. He reiterated comments made by Mrs. Hall about the money available and the enormity of the process of putting everything together. Current Facilities Committee members include Bill Burns, Rick Holston, Lee Miszrahi, Laurel Thomas, and alternate Mrs. McGuinness, with Ted Balling to be approved at a later date. At their first meeting, they discussed a study of public concerns, the education of the public, the immediate needs of the aging facilities, and future considerations. He expressed an interest in having Borough

organizations tour the facilities, as part of the education process. Members of the committee toured the schools' facilities at the second meeting. Mr. Vanalesti concluded his talk with the fact that the Facilities Committee hoped to present their findings to the Board in the near future.

Chairperson Hall then opened the meeting to questions from Borough Council. Mayor Casey asked Borough Solicitor Vogdes if having a member of Council on the committee would be a conflict; Mr. Vogdes stated it would not. Mr. Casey asked Manager Keizer to put the selection of a Council member for the Facilities Committee on the agenda for the next meeting. Mrs. Hall explained that the School Board initially had three different proposals, the result of input from the Administration, the public and the Board. They decided to submit Plan III, which includes all the amenities they felt might be needed. This was preferred over proposing a lesser amount and having to amend for a larger amount at a later date.

Superintendent Vanalesti advised Council that, in his two-year tenure, he had seen the enrollment grow from 480 to 523 at its current level. He attributes this to younger families with younger children moving into the community. He felt the enrollment increase should also be factored into the future need for funds.

Mayor Casey advised the School Board members that the Borough's Ad Hoc Committee for the two proposed building projects took over nine months. Councilman Woodend stated he felt there were too many people on the committee, which created too many variables and contributed to the lengthy process. He advised the School Board that he thought their project was too vague at this point, that it is good to have public input, but the Board ultimately has to decide which way to go. He advised the Board to give the committee more specific direction and guidelines. He felt four or five members would have made for a more manageable committee. He also felt Council should have hired an architect to advise Council of what was or was not feasible on the two sites. Mrs. Hall advised Mr. Woodend that the Board would make a construction plan when the time was right, and that the School Board was required to have an architect present during the formation of the LRFP. Councilman Woodend asked if the funding was related to a specific project, which it would be. Mrs. Hall advised Council that any work done would be considered renovation and addition, not new building. A Political Action Committee has also been formed, to make application for State funds which may be made available for special education programs and for upgrades on supplies. She advised Council and the public that the LRFP is on the school's web site, which is [NOKOMISSCHOOL@YAHOO.COM](mailto:NOKOMISSCHOOL@YAHOO.COM).

#### PUBLIC COMMENT

Dick Thurber, 198 Chippewa Trail – asked what year the last bond issue was approved for upgrades to the schools. It was approved in 1991, and was used for the breezeway, the boiler, and some expansion, among other things.

Dave Wasson, 97 Wabun Trail – commended both Council and the School Board for holding the joint meeting and suggested both entities name a liaison to work with each other.

Mayor Casey thanked everyone for coming and announced a short recess before the continuation of the Council's business meeting.

#### **PAYMENT OF BILLS**

Councilman Aromando made a motion, seconded by Mayor Casey, to approve payment of the bills on the Bill List.

Councilman Woodend questioned a bill from the Police Department for a Fire Department vehicle. Manager Keizer explained that the Police Department had used the oldest fire vehicle for required Defensive Driving training, which ruined the tires and caused some minor body damage. The Police Department replaced the tires on the vehicle. Councilman Woodend questioned a bill for \$3,100 for paving at the sewer plant. Manager Keizer explained the sludge truck sometimes has spillage, this paving will help prevent the Sewer Plant from being in violation of DEP regulations concerning the spillage.

**VOTE TO APPROVE BILLS ON THE BILL LIST**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**APPROVAL OF MINUTES**

Councilman Woodend made a motion, seconded by Mayor Casey, to approve the minutes of the April 26, 2001, Regular Business Meeting.

**VOTE TO APPROVE MINUTES**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

Mayor Casey made a motion, seconded by Councilman Aromando, to approve amended minutes of the May 10, 2001, Regular Business Meeting.

**VOTE TO APPROVE MINUTES**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**RESOLUTIONS**

**RESOLUTION 69-01**

Mayor Casey made a motion, seconded by Councilman Woodend, to table the resolution until Councilman Woodend has a chance to read it.

Mayor Casey explained that, each year the Borough Auditor prepares and audit, which Council is required to read and sign an affidavit that they have done so. It includes the financial condition of the Borough and recommendations for future financial issues. Manager Keizer stated the "Correction of Action Plan" will be presented at the next Council meeting, June 14, 2001. Councilman Woodend advised that he had not read the audit, and could not vote on its approval.

**VOTE TO TABLE RESOLUTION**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

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

**RESOLUTION 70-01**

**A RESOLUTION FOR AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO THE KNIGHTS OF COLUMBUS OF ST. MARY'S OF THE LAKES**

**WHEREAS**, the Knights of Columbus of St. Mary's of the Lakes has qualified in the prescribed manner and application to hold an off premises merchandise raffle on September 15, 2001 for a raffle; and

**WHEREAS**, Council has reviewed the findings and determined and concur that the raffle is to be conducted according to the 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 Knights of Columbus of St. Mary's of the Lakes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 70-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 71-01**

**A RESOLUTION APPROVING CHANGE ORDER NO. 2 ON THE CONTRACT FOR THE CONVERSION OF A FIRE TANKER**

**WHEREAS**, the Borough of Medford Lakes and Lee's Emergency Equipment have entered into a contract for the conversion of a street sweeper to a fire tanker, as the result of public bidding, as authorized by Resolution 89-00 for \$73,110.00; and

**WHEREAS**, it appears that the needed items were discovered in the conversion process that are a safety and operating standard in regard to the braking system; and

**WHEREAS**, the Borough of Medford Lakes wishes to authorize the change order pursuant to Schedule A, which is attached;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that Change Order No.1 is hereby approved, to increase the contract by \$1,255.00, which would bring the total contract price to \$76,209.00.

Manager Keizer explained that the tanker needed to have the brakes overhauled, which is why the original resolution had to be amended.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 71-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 72-01**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE RENEWAL OF A CLUB ALCOHOLIC BEVERAGE LICENSE TO THE MEDFORD LAKES COUNTRY CLUB.**

**WHEREAS**, Medford Lakes Country Club has duly complied with the requirements of the State law relative to the renewal of a Club Liquor License; and

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

**WHEREAS**, said Medford Lakes Country Club 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 Country Club 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 Country Club a license #321-31-002-002. The license to be named therein is Medford Lakes Country Club. The location of the licensee's premises is Medford Lakes Country Club, Oak Drive, Medford Lakes, New Jersey. The license shall be effective July 1, 2001. Also, the license shall run until June 30, 2002, unless revoked prior thereto for cause.

Mayor Casey explained this is the annual renewal and, although both he and Councilman Woodend are members of the Country Club, the Doctrine of Necessity applies to allow them to vote on the resolution.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 72-01

Ayes: Casey, Aromando

Nays: None

Abstain: Woodend

Resolution carries

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

**RESOLUTON 73-01**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE RENEWAL OF A CLUB ALCOHOLIC BEVERAGE LICNESE TO THE SETTLER'S INN**

**WHEREAS**, Settler's inn has duly complied with the requirements of the State law relative to the renewal of a Club 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 Settler's Inn is known by the Mayor and Council to be a fit and competent party to receive a license and the Division of Alcoholic Beverage Control has issued a special ruling to renew said application a copy of which is attached;

**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 Settler's Inn 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 Settler's Inn a license #321-33-001-001. The license to be named therein is Settler's Inn. The location of the licensee's premises is Settler's Inn Stokes Road, Medford Lakes, New Jersey. The license shall be effective July 1, 2001. Also, the license shall run until June 30, 2002, unless revoked prior thereto for cause.

Manager Keizer advised this is a two year special license, this is the second year and will be the last without a building on site.

PUBLIC COMMENT:

Dave Wasson, 97 Wabun Trail – asked what kind of license this was. Solicitor Vogdes advised it is for consumption only, not for package goods.

**VOTE TO APPROVE RESOLUTION 73-01**

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 74-01**

**A RESOLUTION AUTHORIZING THE REFUND OF A DUPLICATE TAX PAYMENT**

**WHEREAS**, a duplicate second quarter tax payment was made on Block 30047, Lot 1801, assessed to Sanson, Henry E, III, and Nancy I; and

**WHEREAS**, Service Trak Network and First American Real Estate tax Service made the payment for second quarter taxes in the amount of \$2,525.63 each; and

**WHEREAS**, Service Trak Network has requested a refund in the amount of \$2,525.63 be refunded directly the homeowner;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that a Borough check representing the duplicate payment amount of \$2,525.63 be drawn to the order of Henry E, III and Nancy L. Sanson.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 74-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 75-01**

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX SALE**

**WHEREAS**, the Borough of Medford Lakes Tax Collector has requested authorization from the Borough Council of the Borough of Medford Lakes to conduct a tax sale on June 26, 2001, Oaks Hall, Cabin Circle, Medford Lakes, New Jersey, commencing at 10:00am; and

**WHEREAS**, Borough Council has determined the aforementioned request to be proper and in good order; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes Tax Collector be and is hereby authorized to conduct said tax sale on June 26, 2001, in Oaks Hall, Cabin Circle, Medford Lakes, New Jersey.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 75-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 76-01**

**A RESOLUTION AUTHORIZING CHANGE ORDER #2 RESURFACING OF MCKENDIMEN ROAD**

**WHEREAS**, the Borough of Medford Lakes and Arawak Paving Company, inc., have entered into a contract for the resurfacing of McKendimen Road, as the result of public bidding, as authorized by resolution, for the sum of \$83,000.00, which amount has subsequently by Change Order No. 1 be adjusted to \$68,838.30, and

**WHEREAS**, it appears that quantity adjustments and additional items are needed to complete this project; and

**WHEREAS**, the Borough of Medford Lakes wishes to increase the contract amount to provide for the additional work to be completed; and

**WHEREAS**, the Change Order No. 2 prepared by engineer Richard Alaimo, dated April 25, 2001, is attached, increasing the contract by \$3,098.17 to \$71,936.47 to accomplish same.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that Change Order No. 2 attached, for \$3,098.17 is hereby approved, providing for quantity adjustments and additional items to complete the McKendimen Road overlay, and increasing the contract amount to \$71,936.47.

Solicitor Vogdes explained this is a unit bid, with a base amount and then an added amount for the amount of road being resurfaced. The road was wider than originally estimated.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 76-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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

**RESOLUTION 77-01**

**A RESOLUTION MAKING CERTAIN APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION**

**WHEREAS**, there exists a certain vacancy on the Historic Preservation Commission; and

**WHEREAS**, it is the desire of the Borough Council to appoint qualified individuals to fill the several vacancies which presently exist on the Historic Preservation Commission;

**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 individuals be and are, hereby appointed to the Historic Preservation Commission for the terms indicated:

<u>NAME</u>	<u>CLASS</u>	<u>EXPIRATION OF TERM</u>
Joseph DiNoto	Alternate II	12-31-01

Manager Keizer stated his term of office will be January 1, 2001 to December 31, 2001, and he is filling an Alternate 2 position.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 77-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

**ORDINANCES**

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

**ORDINANCE 467 – FIRST 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 Woodend asked about changing the tax collector's salary, as discussed at an earlier meeting. This is the first reading of the ordinance. Manager Keizer advised Council the tax collector's salary has already been set and cannot be changed at this time without amending the budget. Mayor Casey asked about Section 5 of the Salary Ordinance, the longevity section, as it pertains to the members of the Medford Lakes Police Officers Association. Solicitor Vogdes advised the ordinance was sufficient the way it was written, and would include officers' longevity in their salaries, as negotiated in their new contract, which has not yet been ratified. The second reading for the ordinance will be June 14, 2001.

PUBLIC COMMENT: None

**VOTE TO APPROVE ORDINANCE 467 ON FIRST READING**

Ayes: Casey, Aromando, Woodend

Nays: None

Ordinance passes on first reading

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

**ORDINANCE 468 – FIRST 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
TOTAL FOR ALL PROJECTS	\$2,100,000	\$100,000	\$2,000,000	14 Years

(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 rinal adoption, as provided by the Local Bond Law.

Mayor Casey explained this is the \$2.1 million dollar bond for the two building projects and the acquisition of a garbage truck. \$100,000 is the down payment, the bond is for \$2 million. Borough Auditor Bob Stewart advised Council to start the procedure for the bond ordinance so they could buy the trash truck. Next, after adoption of the bond ordinance, there should be resolutions for the bond sale.

PUBLIC COMMENT: None

VOTE TO APPROVE BOND ORDINANCE ON FIRST READING

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

Mr. Stewart asked Council if they wanted to include the \$767,000 left on a note still to pay. Discussion followed as to whether or not to roll the existing note into the Bond Ordinance. Council will do it at a later time.

Councilman Aromando made a motion, seconded by Mayor Casey for the purpose of discussion, to send residents a summary of the proposals, financial information, and the date of the public hearing and final reading, June 14, 2001.

Councilman Woodend stated he felt the public was knowledgeable about the projects and no other mailing was necessary. Mayor Casey stated he would agree with the mailing under certain conditions: a draft would be given to Council for 24 hours to review, it would be in the mail in one weeks time, and it would explain about the garbage truck being added to the ordinance.

PUBLIC COMMENT:

Ned Steele, Lenape Trail, advised Council that he felt there was no need to spend money or time on any more mailings.

Dave Wasson, Wabun Trail, advised Council that he felt Council members had been elected to make these decisions, and agreed it would be a waste of time and money.

VOTE TO APPROVE MOTION

Ayes: Casey, Aromando

Nays: Woodend

Motion carries

### **CORRESPONDENCE**

Clean Water Committee – Mike Keating has been on the committee since he was asked to do so by the previous Borough Manager. Council agreed they wanted to have Mr. Keating remain on the committee and to apprise the Medford Lakes Environmental Commission of any action taken by them.

Mayor Casey made a motion, seconded by Councilman Aromando, to appoint Mike Keating to serve on the Clean Water Committee of the B.C. PAC.

**PUBLIC COMMENT:** None

#### **VOTE TO APPROVE MOTION**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

Dam Safety – Manager Keizer has spoken with Mr. Schweppenheiser, of Kammerer & Schweppenheiser Associates, the civil engineering firm. They discussed recommendations for the Beach Drive Dam, to include slope, debris from the drop box, woody vegetation. The timber box by the spillway has been repaired, color photos will be taken soon. Ned Steele, Colony representative, stated the Colony had received a letter from Dam Safety, and added they could not wait to fix the dam until time to dredge the lakes.

Department of Transportation – the 2002 Municipal Aid Program is under way. They are encouraging municipalities to submit applications for roadway projects and pedestrian and bike projects. Council discussed projects that be appropriate for the funds, to include Aetna Way and the island at Stokes and Trading Post Trail. Councilman Aromando suggested making an assessment of drainage problems in the Borough, and using the money for that. Manager Keizer reminded him the application has to be submitted by June 29, 2001.

### **NEW BUSINESS**

Architect's Proposals – Solicitor Vogdes suggested Council could re-draft the proposal to suite them. Councilman Aromando asked the solicitor to contact other towns in the County that had work done by the architects to determine what they incorporated into their contracts. Diane Heck, Ragan Design, advised Council they could not amend the proposal, per AIA regulations, but they could write their own. Mrs. Heck explained there are five phases to their part of the project, each of which is a fixed amount:

1. Schematic – this phase has been completed.
2. Design Development – this includes the heating facility, support structures, lighting, etc.
3. Construction Document – at this point, the architects go to manufacture's catalogs, and write the cost specifications.
4. Bidding and Negotiations – all the variables are put together and sent out for bids. The architect negotiates with the contractors. The contractors must be DBC qualified, they must be registered with the State as a Municipal contractor, and they must be registered with the State as a Municipal sub-contractor. The bid is awarded.
5. Contract Administration – the architects meet with Council and the contractor periodically to check the progress of the project.

Mrs. Heck also advised Council they would need a Civil Engineer to submit the site plan to the Pinelands. Councilman Woodend asked what the time estimate would be on the phases. She felt about three months from end to end. Councilman Woodend asked if her husband would bid for the job, and if this would be a conflict. She stated he works for Eagle Construction, and neither she nor he has any contact or responsibility for the monies involved, and it has not been a problem on any other project on which they have worked together.

Paul Adison advised Council that Mrs. Heck had given them a good overview of the five phases which his company would also perform. He also advised it would be approximately three months from end to end. He added that neither his company nor Ragan Design would supervise the engineer. He suggested that Council solicit proposals right away.

Councilman Woodend stated the Adison contract was not urgent, as the work on the DPW project will not necessarily start until after the Oaks Hall project is completed. Mayor Casey advised he wanted to go ahead with the design of both projects. The approvals to move from phase to phase will be controlled by the Borough Manager.

PUBLIC COMMENT: None

Councilman Woodend made a motion, seconded by Mayor Casey, to authorize the Borough solicitor to enter into an agreement on the Borough's behalf, to contract with Ragan Design for \$58,000.

VOTE TO APPROVE  
Ayes: Casey, Woodend  
Nays: Aromando  
Motion carries

Mayor Casey made a motion, seconded by Councilman Woodend, to authorize the Borough solicitor to enter into an agreement on the Borough's behalf, to contract with Adison & Holberg for up to \$43,000.

VOTE TO APPROVE  
Ayes: Casey, Woodend  
Nays: Aromando  
Motion carries

Review Bond Counsel Proposals – Council discussed two proposals for Bond Counsel Services, one from Montgomery & McCracken for \$9,000 and one from Fox Rothchild for \$25,000. They will appoint Montgomery & McCracken at the next meeting.

Promotion of Steven Carbone to Sergeant First Class – Council congratulated Sgt. Carbone on his promotion.

Review of Agreement with Whelihan's - Solicitor Vogdes reviewed the parking agreement with Whelihan's, as did Council. At this time, they are waiting to hear from Whelihan's attorney, Tim Prime.

Review of Nahma Trail Estimate – the amount originally quoted, \$70,000, which will not be enough. The amount now being quoted is \$103,480, which will provide the survey and re-design. Mayor Casey asked if Council would need to do a new ordinance. Auditor Stewart advised an ordinance should be voted upon to provide the funds for the difference, from the Capital Improvement Fund. The \$30,000 difference is for the gravity feed system. Solicitor Vogdes suggested going out for bids immediately and then amending the ordinance to cover the difference.

PUBLIC COMMENT:

Dave Wasson, Wabun Trail, advised Council he thought there was an original agreement with Mr. Eni, in which he would provide service for the Nahma Trail residents. Since Mr. Eni's death, Mr. Wasson wondered if the agreement was still in place.

Richard Uth, Nahma Trail, advised Council he knows the other two families on the trail with pumps, and he assured Council they want to hook up to the sewer. He also advised that, through his business experience, he knew that a pumping station would cost more than just running the pipe.

Mayor Casey made a motion, seconded by Councilman Aromando, to direct the Borough Engineer to prepare bid specs to develop a gravity feed system for Nahma Trail. Solicitor Vogdes advised Mr. Wasson that this was not the case.

**VOTE ON MOTION**

Ayes: Casey, Aromando

Nays: Woodend

Motion carries

**OLD BUSINESS**

Animal Ordinance – Hold for June 14, 2001

Fire Company and First Aid – Hold for June 14, 2001

**REPORTS**

Solicitor's Report – Nothing at this time.

Manager's Report – Manager Keizer reported the skirting to be off the trailer in Evesham, and the two halves are being prepared for the move to Medford Lakes, which will be handled by DPW.

Councilman Woodend asked if the Susan Shourds issue could be put to rest. Mayor Casey agreed no further action was necessary. Solicitor Vogdes stated she had been re-appointed to the Planning Board. There was further discussion as to the possible conflict of interest of Mark Shourds. Councilman Woodend stated he felt that, if it was in the Borough's best interest, then Mr. Shourds should do the work. He suggested the possibility of hiring Chris Knoll, instead of using Alaimo; however, Solicitor Vogdes did not feel this was feasible.

Councilman Aromando asked about the three cars being used by the Fire Department. He wanted to know when the third one would be sold. Also, he stated Chief Wingert had never given Council the use parameters for the car by the duty officer. Manager Keizer stated she wanted to consider using the third car as a "Borough vehicle." The matter will be put on the agenda for the next meeting.

There will be no executive meeting following the regular business meeting, as stated on the agenda.

**ADJOURNMENT**

Councilman Woodend made a motion to adjourn the meeting, seconded by Councilman Aromando.

**VOTE TO ADJOURN**

Ayes: Casey, Aromando, Woodend

Nays: None  
Motion carries

Respectfully submitted,

Julie Keizer, RMC  
Borough Clerk