

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
FEBRUARY 11, 2003**

The regular meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the Denby Annex of the Medford Lakes Colony beginning at 7:30pm. Mayor Woodend presided. Following the Pledge of Allegiance, Mayor Woodend 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 Gary Woodend, Councilman Timothy Casey and Councilman David Wasson. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor Vogdes, Squad Chief Rosemary Countess and Police Chief Frank Martine.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the January 21, 2004, Budget Workshop Meeting (#2.)

VOTE TO APPROVE MINUTES
Ayes: Woodend, Casey, Wasson
Nays: None
Budget Workshop Minutes are approved

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the January 22, 2004, Budget Workshop Meeting (#3.)

VOTE TO APPROVE MINUTES
Ayes: Woodend, Casey, Wasson
Nays: None
Budget Workshop Minutes are approved

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the January 22, 2004, Regular Meeting.

VOTE TO APPROVE MINUTES
Ayes: Woodend, Casey, Wasson
Nays: None
Budget Workshop Minutes are approved

RESOLUTIONS

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

RESOLUTION 31-04

A RESOLUTION AMENDING AN AWARDED CONTRACT FOR THE PURCHASE OF A POLICE UTILITY VEHICLE AND APPROVING A CHANGE ORDER

WHEREAS, the Borough of Medford Lakes solicited public bids for the purchase of one (1) Police Utility Vehicle; and

WHEREAS, the Borough of Medford Lakes having reviewed the bid documents and finding no deficiencies recommended award to the lowest, responsible bidder; and

WHEREAS, the Borough passed Resolution #144-03 on October 30, 2003 awarding the contract to Winner Ford of Cherry Hill; and

WHEREAS, Winner Ford of Cherry Hill has submitted a change order for \$175.00 (Spot Light) which lowers the Contract total from \$27,632.36 to \$27,457.36;

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

1. the Borough of Medford Lakes accepts the recommended change order for \$175.00; and
2. the Borough of Medford Lakes and Winner Ford of Cherry Hill, NJ have entered into an amended contract for purchase of one (1) Police Utility Vehicle as the result of public bidding, for \$27,457.36.

The resolution reduces the amount of the price for the new police vehicle; the spotlight couldn't be mounted as designated and was deleted from the package.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 31-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 31-04 is approved

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

RESOLUTION 32-04

A RESOLUTION APPOINTING A MUNICIPAL COURT JUDGE

WHEREAS, the term of current Municipal Court Judge Dennis McInerney, Esquire, expired on December 31, 2003; and

WHEREAS, the Borough of Medford Lakes desires to reappoint Dennis P. McInerney, Esquire, as Municipal Court Judge; and

WHEREAS, Dennis P. McInerney, Esquire, is qualified to serve as Municipal Court Judge; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that Dennis P. McInerney, Esquire, be and is hereby appointed as Municipal Court Judge for the Borough of Medford Lakes for a three (3) year term, commencing January 1, 2004, and terminating December 31, 2006; and

BE IT FURTHER RESOLVED, the salary for same shall be set by the Municipal Salary Ordinance. The salary shall cover sixteen (16) court sessions, and any additional Court Sessions that may be required to properly administrate the Municipal Court.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 32-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 32-04 is approved

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

RESOLUTION 33-04

A RESOLUTION AUTHORIZING THE REFUND OF AN OVERPAYMENT

WHEREAS, GMAC Care of First American and Chase Mortgage Care of First American Real Estate Tax Service both made the first quarter 2004 tax payment in the amount of \$1,263.52 on Block: 30074 Lot: 2935; and

WHEREAS, this has created an overpayment on the afore-mentioned property; and

WHEREAS, First American Real Estate Tax Service is entitled to the refund of the overpayment;

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 amount of \$1,263.52 be drawn to the order of First American Real Estate Tax Service.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 33-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 33-04 is approved

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

RESOLUTION 34-04
A RESOLUTION AUTHORIZING THE REFUND OF AN OVERPAYMENT

WHEREAS, Hunter Title and First American Real Estate Tax Service both made the first quarter, 2004, tax payment in the amount of \$1,384.36 on Block: 10019 Lot: 22; and

WHEREAS, this has created an overpayment on the afore-mentioned property; and

WHEREAS, First American Real Estate Tax Service is entitled to the refund of the overpayment;

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 amount of \$1,384.36 be drawn to the order of First American Real Estate Tax Service.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 34-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 34-04 is approved

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

RESOLUTION 35-04
A RESOLUTION AWARDDING A PROFESSIONAL SERVICES CONTRACT FOR PEST CONTROL SERVICE TO CARLSON EXTERMINATING COMPANY

WHEREAS, the Borough of Medford Lakes is empowered under the laws of the State of New Jersey to retain and engage a Pest Control Service; and

WHEREAS, the Contract Attached shall be active for the period of January 1, 2004 until December 31, 2004;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, that a professional services contract for "Pest Control Service" is awarded to:

1. Carlson Exterminating Company, 694 Chatsworth Road, Tabernacle, New Jersey, 08088
2. The agreed to contract attached shall be for the period of 1/1/04 to 12/31/04.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 35-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 35-04 is approved

Mayor Woodend introduced the following resolution for the purpose of discussion, seconded by Councilman Casey:

RESOLUTION 36-04
A RESOLUTION AUTHORIZING THE CANCELLATION OF A SEWER BILLING

WHEREAS, the property known as 164 Chippewa Trail, and also known as Block: 10027 Lot: 16, were sold in the year 2003, to Mollie Amato; and

WHEREAS, Mollie Amato made application to the construction office for a demolition permit on the above mentioned property and the permit was approved and the owner paid and received such permit; and

WHEREAS, the demolition was completed in a timely manner in order to remove the property from the 2004 Tax Rolls for the improvement part of the billing; and

WHEREAS, the sewer billing for the year 2004, needs to be cancelled on the above mentioned property and the billing would be reinstated effective with the construction of a new home and the date of the new "CO" issued by the construction office;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the billing for sewer charges for the year of 2004, are to be cancelled at this time and reinstated as mentioned above.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 36-04

Ayes: None

Nays: Woodend, Casey, Wasson

Resolution 36-04 is disapproved

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

RESOLUTION 37-04
A RESOLUTION AUTHORIZING THE REFUND OF AN OVERPAYMENT

WHEREAS, Country Wide Tax Service made duplicate first quarter 2004, tax payments on three properties; Block: 30104 Lot: 3668 in the amount of \$1,369.52, Block: 30107 Lot: 3783 in the amount of \$1,621.80, Block: 30110 Lot 3880 in the amount of \$1,437.36; and

WHEREAS, this has created an overpayment on the afore-mentioned properties; and

WHEREAS, Country Wide Tax Service is entitled to the refund of the overpayment; and

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 amount of \$4,428.68 be drawn to the order of Country Wide Tax Service.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 37-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 37-04 is approved

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

RESOLUTION 38-04

A RESOLUTION AUTHORIZING RICHARD A. ALAIMO, PE, TO ACT AS THE DULY AUTHORIZED REPRESENTATIVE IN MATTERS RELATING TO THE STORMWATER GENERAL PERMIT

WHEREAS, the Borough of Medford Lakes is listed as a Tier “A” municipality by the NJ Department of Environmental Protection; and

WHEREAS, the Borough is required to obtain a Stormwater General Permit; and,

WHEREAS, Richard A. Alaimo, PE is our designated Municipal Engineer and has overall responsibility for municipal environmental matters;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that Richard A. Alaimo, P.E. of the Alaimo Group is duly authorized to act as our representative in matters relating to:

1. Request for Authorization Form
2. Grant Application
3. Other matters related to the Storm water General Permit

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 38-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 38-04 is approved

OLD BUSINESS

CELL TOWER – Rich Dickinson, RBDSS, Project Manager for the tower, advised Council that AT&T has accepted the lease agreement; their signed copy and a check are reported to be in the mail. Two more available sites remain on the tower. Nextel is completing their 2nd quarter budget; they need to include the funds on the budget for the tower site. Mr. Dickinson is hopeful that they will be on board by the end of March.

PUBLIC COMMENT: Lou Potter, 64 Mohave Trail, advised Council he had to obtain a new phone in order to utilize the more modern system on the tower.

FACILITIES – Code Official Tom Heck spoke with five log companies and obtained information from them. He asked if Council would be amenable to sending those companies four pages of floor plans and elevation plans for their evaluation. The cost was estimated at \$250.00 to make copies and overnight them to the five companies.

Councilman Casey made a motion, seconded by Councilman Wasson, to spend up to \$500.00 to copy and forward floor plans and elevations to the five log companies.

RESOLUTION 40-04

A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$500 TO COPY AND SEND PLANS FOR OAKS HALL TO LOG BUILDING SUPPLY COMPANIES

WHEREAS, it is the desire of the Borough Council of Medford Lakes to build Oaks Hall using traditional log construction; and

WHEREAS, the Borough would like to secure quality supplies from a quality distributor;

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 Manager copy and send plans of Oaks Hall to qualified log building distributors for a sum not to exceed \$500.00.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked Council why they would assume any of the five companies would be lower than the three bids already obtained.

Dick Thurber, 198 Chippewa Trail, asked Council to consider upkeep when deciding between pine or cedar logs for the building.

VOTE TO APPROVE RESOLUTION 40-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 40-04 is approved

The RFPs were due back February 10, 2004. Ragan Design reported they had received eight responses, each of which was different. Ragan Design will review the responses. Mayor Woodend will compile a list of questions to present to the bidders; Councilmen Casey and Wasson will submit their questions for the form by February 17, 2004. Mayor Woodend will also meet with Mr. Madden for his input. Mayor Woodend will then investigate the eight companies and make recommendations to Council.

Councilman Casey suggested contacting Paul Addison to determine the status of the Department of Public Works project.

PUBLIC COMMENT – Joe Aromando, 285 Shingowack Trail, asked about the exhaust system for the Public Works facility. He stated that, when he was on Council three years ago, they gave approval for the exhaust system. Councilman Casey advised Mr. Aromando that the exhaust system had been discussed at the prior Budget Workshop meeting; Manager Knight and Fire Chief McIntosh are investigating systems.

COMCAST CABLE – a meeting with the representatives is scheduled for 3:00pm on February 16, 2004.

EMPLOYEE HANDBOOK – Councilman Casey has made his draft revisions to the JIF/MEL handbook.

2004 BUDGET – Council will have their final meeting (#4) on Saturday, February 14, 2004, in the Denby Annex. Manager Knight is scheduled to meet with Auditor Stewart on Friday, February 13, 2004.

CODIFICATION - three sections still need work.

SALT SITUATION – Manager Knight will meet with Medford Manager Al Feit on the 12th or 13th of February. Medford will begin using a liquid calcium chloride solution instead of regular street salt. Medford Lakes does not have the ability to deliver the liquid and Superintendent McCorrison has advised Councilman Wasson that he has concerns about how it would affect the lakes. Mr. McCorrison has enough salt on hand to last through the end of winter, barring a major snow or ice storm. If the Borough stores road salt, the State requires it be housed in a shed. Access to the salt shed in Medford was part of the agreement.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if the sand currently at the Borough garage has been treated with salt; if so, is the Borough in violation of DEP regulations.

Mr. Aromando also expressed concern about a drainage problem on some trails. He asked that Council investigate grant money for repairs, especially at Neeta School. He also reported a drainage problem at Brooks Field. Deputy Clerk Mark McIntosh advised Mr. Aromando that the Department of Public works previously installed a French drain at the craft shop.

SUPERIOR OFFICER'S CONTRACT – Manager Knight will put the contract on the Council agenda for Executive Session following the first Regular Council Meeting in March.

NEW BUSINESS

REQUEST FOR SEWER – Manager Knight received a letter from residents Don and Anita Way, 41 Basseler Trail. They requested a sewer extension/reconstruction to their home due to a problem with their sewer line. Council discussed the cost of the project, which was estimated to be between \$80,000 and \$100,000. Council discussed the reason for the request, if the Way's want to build a mother-in-law suite of it there is a continuing problem with the sewer lateral or the trunk. Council decided to have Solicitor Vogdes determine if the problem exists in the truck line or the resident's lateral. If the Borough pipe is ok, Council will not take action.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked Council not to penalize Mr. and Mrs. Way if the main trunk is in their yard and not in the street.

BOARD OF HEALTH – a representative of the Burlington County Health Department contacted the Borough to ask that employees of food establishments in the Borough attend a food management training session. Solicitor Vogdes advised it is not mandatory and the Borough can respectfully decline. Council did not take any action on the request.

The issue of the Borough's maintaining a Board of Health will be part of codification. Solicitor Vogdes advised Council that the Borough is required to maintain a Board of Health.

REPORTS

MANAGER – Manager Knight received an invitation for a discussion on environmental issues in the Pinelands. It will be held in Mays Landing on February 28, 2004.

Mr. Knight received a communication from Mrs. Paige Coskery, 43 Cutchogue Trail. She requested reimbursement from the Borough in the amount of \$125.00, for a basketball net damaged by a Department of Public Works truck in March of 2003. Council discussed the issue of residents who's personal property encroaches onto Borough property; the Borough is not responsible for damage to such property. The resident's homeowners insurance should cover the cost of replacement.

PUBLIC COMMENT: Lou Potter, 64 Mohave Trail, reminded Council of a similar previous incident on Piute Trail. At that time, the Borough did not reimburse the homeowner.

Joe Aromando, 285 Shingowack Trail, concurred with Mr. Potter and suggested Mr. Knight send a letter to Ms. Coskery advising her of the Borough's policy.

The Borough has received a Municipal Alliance grant in the amount of \$10,500. The money is used to support the D.A.R.E./Bridge soft ball game in June and other activities for the prevention of drug and alcohol abuse.

SOLICITOR – Mr. Vogdes received a letter from attorney Richard Israel, advising that Mr. Cave will not be the builder for the proposed sub-division adjacent to Neeta School. Mark Magrann is now the builder of record. Mayor Woodend has discussed with Mr. Magrann his suggestion for a main driveway through the lots, entering from Cree Trail. Council discussed the width of the proposed driveway and how it would be maintained.

Mr. Vogdes reported he is waiting for the Medford Lakes Country Club to proceed through the Pinelands and then apply to the Planning Board for the water re-use project. The ball is in their court. The Club also needs to fund their escrow account and pay their bills. Council will not discuss the issue again until the bills are paid.

Solicitor Vogdes was surprised to read in the minutes of the Budget Workshop that the tax collection rate is low in part due to numerous bankruptcies. He asked to be copied on all bankruptcy notices.

The towing ordinance is not ready for Council.

COUNCIL – Councilman Wasson will confer with Superintendent McCorriston concerning the striping of Lenape Trail.

Councilman Casey was pleased to have all three of his department heads at the meeting:

Fire Chief Mark McIntosh reported his department has new members in training.

Squad Chief Rosemary Countess read her January Squad Report into the record. The Medford Lakes Emergency Squad responded to 25 calls in Medford Lakes, with 37 dispatches in total. The First Responders were dispatched 14 times and were used on six occasions. The First Responders are not dispatched to out of town calls and for late-night calls. Manager Knight will investigate who is dispatched to calls, when and why.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if the First Responders would be submitting a monthly report on their calls.

Police Chief Frank Martine reported he expects to have the new Ford Explorer fully operational by February 12, 2004. The old car will be stripped of equipment and taken out of the Department's fleet. Chief Martine thanked Public Works Superintendent McCorriston and his crew for removing the old decals from all three police vehicles, which probably saved \$500. Councilman Wasson complimented the new decals.

The Department has a new radar unit.

The new Alco-Test can now be ordered to replace the existing breathalyzer. The new machine will cost between \$12,000 and \$13,000. Money from the Drunk Driving Enforcement Fund can be used to augment available funds. Chief Martine will contact the Lion's Club and the Junior Women's Club to solicit additional funds for the new machine.

PAYMENT OF BILLS

Councilman Casey made a motion, seconded by Councilman Wasson, to approve the Bill List.

Manager Knight complimented Police Chief Martine on the Police Department budget he submitted. The proposed budget reflected a decrease in anticipated expenditures.

VOTE TO APPROVE BILL LIST

Ayes: Woodend, Casey, Wasson

Nays: None

Bill List is approved

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 39-01

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:

PROSPECTIVE PERSONNEL ISSUE

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 TO EXECUTIVE SESSION

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries

Meeting adjourned to Executive Session

ADJOURNMENT

Following the Executive Session, Council returned to the open public meeting. At this time, the meeting was adjourned.

Respectfully submitted,

Richard Knight
Borough Manager

