

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
FEBRUARY 26, 2004**

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 and Solicitor Vogdes.

**PUBLIC COMMENT**

*There was no public comment at this time.*

**APPROVAL OF MINUTES**

Mayor Woodend made a motion, seconded by Councilman Wasson, to approve the minutes of the February 14, 2004, Budget Workshop Meeting (#4.)

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes are approved for Budget Workshop Meeting #4

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the February 11, 2004, Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes are approved for Regular Council Meeting

**ORDINANCES**

There were no ordinances on the agenda for the meeting.

**RESOLUTIONS**

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

**RESOLUTION 41-04**

**A RESOLUTION AWARDED A PROFESSIONAL SERVICES CONTRACT FOR FIRE EXTINGUISHER INSPECTION AND MAINTENANCE FOR YEAR 2004 TO H&D FIRE EXTINGUISHER COMPANY**

**WHEREAS**, the Borough of Medford Lakes is required under the laws of the State of New Jersey to retain and engage a Fire Extinguisher Inspection and Maintenance Company; and

**WHEREAS**, the State of New Jersey requires all Fire Protection Equipment Contractors to be licensed through the Department of Community Affairs, Division of Fire Safety, certification requirements per N.J.A.C. 5:73-2.3(d); and

**WHEREAS**, the H&D Fire Extinguisher Company has met the State of New Jersey requirements and has submitted the lowest responsible pricing; 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 te Borough Council of the Borough of Medford Lakes, that a professional services contract for "Fire Extinguisher Inspection and Maintenance" is awarded to:

1. H&D Fire Extinguisher Company, 766 Lakehurst Road, Browns Mills, NJ, 08015
2. The agreed to contract attached shall be for the period of 1/1/04 to 12/31/04.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, suggested a rate schedule be attached to the resolution.*

**VOTE TO APPROVE RESOLUTION**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 41-04 is approved

Resolution 42-03 was not introduced.

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

**RESOLUTION 43-04**

**A RESOLUTION APPOINTING A TEMPORARY CHIEF FINANCIAL OFFICER**

**WHEREAS**, there exists a vacancy for the office of Chief Financial Officer, following a vacancy in said office created by the resignation of Julie Keizer, a certified Chief Financial Officer, on or about May 31, 2003; and

**WHEREAS**, under N.J.S.A 40A:9-140.13, (f) a municipality may appoint an temporary Chief Financial Officer for a period not to exceed one (1) year, commencing on the date of the vacancy; and

**WHEREAS**, the Borough desires to appoint Richard Knight as temporary Chief Financial Officer; and

**WHEREAS**, Richard Knight is qualified to serve as temporary Chief Financial Officer;

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

1. Richard Knight, be and is hereby appointed as temporary Chief Financial Officer for the Borough of Medford Lakes, terminating May 31, 2004.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, questioned the length of the “temporary” time period. State statute limits the term to one year from the date of resignation of the previous CMFO. There is no provision in the resolution for a salary increase for Mr. Knight.*

**VOTE TO APPROVE RESOLUTION**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 43-04 is approved

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

**RESOLUTION 44-04  
A RESOLUTION APPOINTING AN ELECTRICAL SUBCODE OFFICIAL**

**WHEREAS**, there exists a vacancy for the position of Electrical Sub-code Official; and

**WHEREAS**, under N.J.S.A 52:27D-126 a construction official or sub-code official in a non-civil service municipality shall be appointed for a term of four (4) years; and

**WHEREAS**, the Borough desires to appoint Anthony Iwasko as the Electric Sub-code Official; and

**WHEREAS**, Anthony Iwasko is qualified to serve as a Electric Sub-code Official;

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

1. Anthony Iwasko, be and he hereby is appointed as Electrical Sub-code Official for the Borough of Medford Lakes for a four year term commencing January 8, 2004.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 44-04 is approved

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

**RESOLUTION 45-04  
A RESOLUTION APPOINTING A PLUMBING SUBCODE OFFICIAL**

**WHEREAS**, there exists a vacancy for the position of Plumbing Sub-code Official; and

**WHEREAS**, under N.J.S.A 52:27D-126 a construction official or sub-code official in a non-civil service municipality shall be appointed for a term of four (4) years; and

**WHEREAS**, the Borough desires to appoint Rich Falasko as the Plumbing Sub-code Official; and

**WHEREAS**, Rich Falasko is qualified to serve as a Plumbing Sub-code Official;

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

1. Rich Falasco, be and he hereby is appointed as Plumbing Sub-code Official for the Borough of Medford Lakes for a four year term commencing January 28, 2004.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 45-04 is approved

Councilman Wasson introduced the following resolution, seconded by Councilman Casey:

**RESOLUTION 46-04**

**A RESOLUTION AMENDING 2003 EMERGENCY REPAIR OF STOKES ROAD SEWER LINE ORDINANCE 494, AND AMENDING RESOLUTION 117 AND APPROVING A CHANGE ORDER**

**WHEREAS**, the Borough of Medford Lakes passed Capital Ordinance 494 to appropriate funds for the rehabilitation of a sewer line; and

**WHEREAS**, the Borough of Medford Lakes passed Resolution 117-03 awarding a non-bid emergency repair contract to Ivymont Construction Company; and

**WHEREAS**, a change order has been submitted for the re-establishment of lateral connections; and

**WHEREAS**, the Borough Engineers from Alaimo Associates have submitted a change order for \$750.00, which raises the contract total from \$65,269.00 to \$66,019.00;

**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 \$750.00.
2. The Borough of Medford Lakes and Ivymont Construction Co., have entered into a contract for the Replacement of a Sanitary Sewer Main on Stokes Road as the result of an emergency for \$ 66,019.00

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 46-04 is approved

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

**RESOLUTION 47-04**  
**A RESOLUTION INTRODUCING THE 2004 MUNICIPAL BUDGET**

**WHEREAS**, the Municipal Budget of the Borough of Medford Lakes, County of Burlington, for the year 2004, is hereby introduced;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2004; and

**BE IT FURTHER RESOLVED**, that said Budget be published in the Burlington County Times in the issue of March 4, 2004; and

**BE IT FURTHER RESOLVED** the Borough Council of the Borough of Medford lakes, County of Burlington, State of New Jersey:

1. Does hereby approve the following as the Budget for the Year 2004, and
2. Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, on February 26, 2004, and
3. A hearing on the budget and Tax Resolution will be held at Vaughan Hall, in Demby Annex, on March 25, 2004, at 7:30PM, at which time and place objections to said budget and Tax Resolution for the year 2004, may be presented by taxpayers or other interested persons.

The resolution introduced the 2004 Medford Lakes Municipal Budget and establishes a public hearing date of March 25, 2004. It represents a budget increase of four cents. The budget is available in the Borough Office for public review.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 47-04 is approved

**OLD BUSINESS**

**BOARD OF HEALTH** – New Jersey Statute requires municipalities to have a Board of Health in place. The Borough's ordinance is out of date. Solicitor Vogdes recommended that Council be the Board of Health for Medford Lakes. Major health issues are handled by the Board of Health at the County level. Council agreed with Mr. Vogdes to represent the Medford Lakes Board of Health.

**CAVE PROPERTIES** – Mr. Cave appeared before Council, with his attorneys Pat McAndrews and Rich Israel. They presented a site plan showing the four lots, formed from nine non-conforming ones. The rendering showed Council they did not need to vacate a street; the lots would maintain a "private street", which would be a deed restriction. The Borough would bear no liability for the "private street."

Council discussed the proposed 16-foot width of the street and if it would be wide enough. Mr. Cave looked to Council for their "ok" so the engineers can begin the site plans.

Councilman Casey made a motion, seconded by Councilman Wasson, to work with Cave Properties to develop satisfactory agreements and to review plans and engineering reports.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about sewer lines to the proposed homes. The laterals will be the responsibility of the developer.*

VOTE TO APPROVE MOTION

Ayes: Casey, Wasson

Nays: None

Abstain: Woodend

Motion carries

SEWER LINE – Manager Knight advised Mr. Don Way, 41 Baessler Trail, that Council is not interested in providing a new lateral for his property. If Mr. Way deposits \$500 into an escrow account, Council will arrange to have the approximate cost for the lateral made available to him.

CELL TOWER – AT&T is onboard. They are the 4<sup>th</sup> carrier to be on the tower. The shelter was delivered and has been set.

FIRE & EMS – Manager Knight has not received the mediator's report. He feels the situation is improving. Fire Chief Mark McIntosh and EMS Officer Larry McDonald were invited to a Medford Lakes Squad drill, which went well. The First Responders will be asked to participate in future drills.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, advised Council to establish written operating procedures for both departments, which would protect the Borough from litigation.*

CABLE NEGOTIATIONS – Councilman Casey met with representatives of Comcast. A public hearing on the issue will be held at the Regular Council Meeting on March 25, 2004.

FACILITIES – Mayor Woodend met with two prospective construction managers and spoke by phone with a third. Plans have been sent to five log vendors and two have been returned. This is an information gathering process, not a bid process.

**NEW BUSINESS**

POLICE VEHICLE – Lt. Steve Carbone advised Council that the Medford/Vincentown Rotary Club had offered to donate up to \$16,000 for the purchase of a D.A.R.E. vehicle. The sale would be handled through Holman Ford; the funds will be deposited at Holman and the Department would pick a vehicle within the fund amount. The Department would maintain the vehicle and use donated services to outfit and decorate it.

Paul Zetts, a member of the Rotary Club, spoke to Council on the planned purchase. The Police Department could get the best vehicle possible within the budget amount of \$16,000.

Council discussed the use of the vehicle as a public relations tool and for use at functions. SGT. Darren Dogostino advised Council on how other departments make use of their donated vehicles for D.A.R.E. projects

and other events. The Borough will register and insure the vehicle; the Police Department will seek donations for everything else. Manager Knight will contact Auditor Bob Stewart to confirm the legality of accepting the donation from the Rotary Club.

Councilman Casey made a motion, seconded by Councilman Wasson, to accept the donation of funds for the purchase of a D.A.R.E. vehicle.

*PUBLIC COMMENT: None*

VOTE TO APPROVE DONATION

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries

Council also discussed the police car which is being taken off the fleet line. Hopefully, it can be used as a Borough car.

**REPORTS**

MANAGER' REPORT – Mr. Knight advised the licensing of dogs and cats for 2004 is proceeding well. Ruth Miller has worked several days in the administration office to help with the process.

The Domestic Partnership Act has been signed into law by Governor McGreevey. It may impact Borough finances; the Joint Insurance Fund will forward information concerning the law.

The Borough Employee Handbook is still evolving.

Mr. Knight will have a spreadsheet for the next Council meeting concerning the Senior Officers' contract.

Fire Chief Mark McIntosh has been inspecting properties for illegal sump pump activity.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked why the vector had been on Stokes Road. Council was not aware of a problem and suggested it was scheduled "camera-ing."*

SOLICITOR'S REPORT – Mr. Vogdes reported no "liability items" concerning the Borough; the 2003 audit can begin.

Mr. Vogdes will discuss finances with Auditor Stewart for CMFO work.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, suggested Council put a cap on the amount to be expended for CMFO work.*

COUNCIL REPORTS – Councilman Wasson reported the striping on Lenape Trail has not been done. The County does not do striping anymore; Public Works Superintendent Pat McCorrison will research companies that do striping.

Wastewater Superintendent Paul Hayden will check the main sewer line at the Way residence at 41 Baessler Trail to determine if there is a problem and if it is the Borough's or Mr. Way's.

Councilman Casey asked Fire Chief McIntosh to discuss any issues he had. Chief McIntosh reported a recent call for a trash can fire that potentially could have been a disaster. He will submit an article for the Medford Lakes Colony News concerning trash can safety, especially with fireplace ashes and cigarette butts.

Mr. McIntosh and Manager Knight attended a safety program kickoff.

Mr. McIntosh provided information on the proposed exhaust system in the Fire House and the Public Works bays. Council discussed the system; Mr. McIntosh will obtain information with regard to their concerns.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, reminded Council that an ordinance was previously approved that budgeted \$64,000 for the proposed exhaust system. He asked where the money was spent; most was used for the new tanker truck. There is money available in the 2004 Capital Budget for the system.*

### **PAYMENT OF BILLS**

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

#### **VOTE TO APPROVE PAYMENT OF BILLS**

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries

### **ADJOURNMENT TO EXECUTIVE SESSION**

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

#### **RESOLUTION 48-01**

#### **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:

**CONTRACTING A CONSTRUCTION MANAGER**

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

Meeting adjourned to Executive Session at 9:24pm

**ADJOURNMENT**

Following the Executive Session, Council returned to the open public meeting. No business was discussed and the meeting was adjourned.

Respectfully submitted,

Richard Knight  
Borough Manager