

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
JANUARY 22, 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 7:35pm following a Budget Workshop Meeting. 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 Countess and Police Chief 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 for the January 8, 2004, Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes are approved for January 8, 2004 Regular Meeting

Mayor Woodend made a motion, seconded by Councilman Wasson, to approve the minutes for the January 14, 2004, Budget Workshop Meeting.

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes are approved for January 14, 2004, Workshop Meeting

**ORDINANCES**

There were no ordinances for approval.

**RESOLUTIONS**

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

**RESOLUTION 26-04**

**A RESOLUTION A RESOLUTION AUTHORIZING THE SALE OF BOROUGH PROPERTY NO LONGER NEEDED FOR PURPOSES PURSUANT TO NJSA 40A:11-36**

**WHEREAS**, the Borough Council of Medford Lakes, County of Burlington, State of New Jersey is desirous of providing for sale to the Medford Lakes Fire Company the following items which are no longer able to be utilized for public purposes pursuant to Statute; and

**WHEREAS**, the Medford Lakes Fire Department is no longer able to have the property Certified as Structural fire fighting garments to the current edition of NFPA 1971/1991, CFR 1910.156 or Classified UL61F6; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that:

1. Pursuant to NJSA 40A:11-36, the Borough of Medford Lakes will sell the attached list of property no longer needed to the Medford Lakes Fire Company for \$1.00.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked Council what items are to be disposed of and the method of disposal. Old firefighter clothing is being sold the Medford Lakes Fire Company for \$1.00. The Company then donates them to an organization that distributes them to 3<sup>rd</sup> world countries. Mr. Aromando asked when any vehicles will be auctioned; Manager Knight will investigate which vehicles at the Department of Public Works are available for auction.*

Councilman Wasson commended the Fire Department and the Fire Company on the donation of the old clothing to 3<sup>rd</sup> world countries; it represents a win-win situation.

**VOTE TO APPROVE RESOLUTION 26-04**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 26-04 is approved

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

**RESOLUTION 27-04**

**A RESOLUTION TO CELEBRATE THE READ ACROSS AMERICA PROGRAM**

**WHEREAS**, the citizens of Medford Lakes Borough stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

**WHEREAS**, the Borough of Medford Lakes has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

**WHEREAS**, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2004, which would have been the 100<sup>th</sup> birthday of Theodore Seuss Geisel, better known as Dr. Seuss; and

**WHEREAS**, Read Across America- NJ is being conducted statewide by the New Jersey Education Association , in partnership with the New Jersey State League of Municipalities, The New Jersey Library Association Saturn-UAW, Staples, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Medford Lakes calls on the citizens to assure that every child is in a safe place reading together with a caring adult on March 2, 2004; and

**AND BE IT FURTHER RESOLVED** that this body enthusiastically endorses NEA's Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 27-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 27-04 is approved

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

**RESOLUTION 28-04**

**A RESOLUTION AUTHORIZING THE REFUND OF AN OVERPAYMENT**

**WHEREAS**, Fidelity National Title and First American Real Estate Tax Service both made the first quarter 2004, tax payment in the amount of \$1,372.70 on Block: 10031 Lot: 1; 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 \$1,372.70 be drawn to the order of First American Real Estate Tax Service.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 28-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 28-04 is approved

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

**RESOLUTION 29-04**

**A RESOLUTION RECOGNIZING KAREN FORMONT FOR HER LEADERSHIP AS THE 2003 PRESIDENT OF THE MEDFORD LAKES COLONY AND FOR HER SERVICE TO THE COMMUNITY**

**WHEREAS**, Karen Formont served the Colony of Medford Lakes as President during the year 2003; and

**WHEREAS**, Karen donated her leadership skills to oversee the yearly operation of this prominent community organization; and

**WHEREAS**, Karen brought to bear her affection for the Medford Lakes Community to guide in her decisions;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Medford Lakes hereby recognizes Karen Formont for her leadership and devotion to the community.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if Mrs. Formont had been notified of the recognition in order that she might be present at this meeting. Manager Knight will present the resolution to her at the Colony Recognition Dinner.*

VOTE TO APPROVE RESOLUTION 29-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 29-04 is approved

**OLD BUSINESS**

**CABLE NEGOTIATIONS** – the Borough has received a proposal from Comcast. It is a 95% regulatory driven boilerplate proposal, which offered one cable hookup, which will be negotiated. Fees are regulated by both Federal and State regulations. It will be on the agenda for the first Council meeting in March.

**CELL TOWER** – Rich Dickinson, Project Manager for the tower’s construction, attended a walk-thru of the site with Code Official Tom Heck. Minor glitches at the site will be handled. He is still negotiating with Nextel and AT&T for site locations. Residents who still have bad reception with Cingular may need to update their equipment.

*PUBLIC COMMENT: Sandy Wasson, 97 Wabun Trail, asked if Borough employees have Nextel Service. Most do, on a month-to-month contract.*

*Joe Aromando, 285 Shingowack Trail, asked if Mr. Dickinson would oversee the future addition of carrier sites on the tower, which he will.*

**EMPLOYEE HANDBOOK** – Manager Knight, Solicitor Vogdes and Councilman Casey are scheduled to meet on February 4, 2004, to review the draft.

FACILITIES – Mayor Woodend made a motion, seconded by Councilman Casey, to approve the Request For Proposals form.

VOTE TO APPROVE RFP FORM

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries

Should anyone want copies of the plans for the new building, they can be obtained from Ragan Design or they may be reviewed at the Borough Office.

Police Chief Martine asked that the Department be notified of the time of the demolition of Oaks Hall; it will be a spectator event and he will provide crowd control.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if Council had decided to demolish the existing building without having a definite start date for construction; that is the current plan. Mr. Aromando asked that Council reconsider.*

**NEW BUSINESS**

BUDGET – Council will need one more Budget Workshop meeting for administration and tax collection. It will be held on February 11, 2004, at 7:00pm.

**REPORTS**

MANAGER’S REPORT – Mr. Knight reported a broken generator at Wastewater. A loaner is in use at the current time, with no interruption of service. The repair will cost approximately \$5,000.

On February 5, 2004, Manager Knight will meet with Edmunds Computer for instruction on the computer’s general ledger program.

In the near future, Mr. Knight will have a part-time CMFO recommendation.

SOLICITOR’S REPORT – Mr. Vogdes sent out a letter with critiques for the codification. He is scheduled to meet with Code Official Tom Heck, Alan Barnes, and Chairman Mark Caira of the Medford Lakes Planning Board.

Council discussed the proposed Vacating Agreement for the Cave sub-division; they would like to maintain the existing trees as a buffer. Mayor Woodend suggested creating the driveway so the homes would face Cree Trail, not Neeta School. Council will solicit an opinion from Medford Lakes Engineer Joe Augustyn concerning placement of the driveway, which would be the least disruptive to the area.

*Public Comment: Joe Aromando, 285 Shingowack Trail, asked Council to require Cave Properties to adhere to any stipulations in the agreement. He advised the driveway issue should be in the Land Use Ordinance.*

Solicitor Vogdes advised Council of his opinion the issue of those who opt out of the Borough’s health coverage. State Law is clear on those employees who are eligible for the opt-out; only those employees who are considered full time (who work at least 20 hours per week) are eligible to participation in the program. Court Administrator Rosa Henry is not eligible under the 20-hour rule.

Councilman Casey made a motion, seconded by Councilman Wasson, to remove Resolution 23-04 from the table.

VOTE TO REMOVE RESOLUTION 23-04 FROM THE TABLE

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 23-04 is removed from the table

Councilman Casey made a motion, seconded by Mayor Woodend, to approve Resolution 23-04

**RESOLUTION 23-04**

**A RESOLUTION PERMITTING EMPLOYEES TO WAIVE COVERAGE IN THE STATE HEALTH BENEFITS PLAN UNDER CHAPTER 259, P.L. 1995 WHICH PROVIDES FOR AN INCENTIVE IN LIEU OF COVERAGE.**

**WHEREAS**, the Borough of Medford Lakes participates in the State Health Benefits Program, which permit employees the opportunity to waive health benefits coverage in exchange for an agreed upon incentive (Ch. 259, PL 1995); and

**WHEREAS**, the Borough of Medford Lakes wishes to permit employees who receive health care benefits as a dependent of their spouse to waive employee coverage and receive an incentive. The incentive shall be 50% of the amount saved by the municipality because of the waiver of benefits, this incentive shall be paid quarterly; and

**WHEREAS**, the Borough of Medford Lakes will permit an employee, who has waived coverage under the provisions of this law, to immediately resume health coverage under his or her employer's health plan in the event that dependent coverage under the spouse's plan is lost; and

**WHEREAS**, the decision of the municipality to allow its employees to waive coverage and the amount of the incentive to be paid cannot be subject to the collective bargaining process; and

**WHEREAS**, employees who participate in the SHBP who wish to waive coverage in order to receive an incentive must file "State Health Benefits Program Coverage Waiver/Reinstatement Form" along with a SHBP Application. To reinstate coverage under the SHBP, an employee must complete a "State Health Benefits Program Coverage Waiver/Reinstatement Form" along with a SHBP Application. Reinstatement will be effective immediately following the loss of the employee's coverage through a spouse's active health benefits coverage;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Medford Lakes hereby approves the enrollment of the Borough of Medford Lakes in the State Health Benefits Program Coverage Waiver Plan. This plan will result in considerable cost savings to the Borough of Medford Lakes.

VOTE TO APPROVE RESOLUTION 23-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 23-04 is approved

Solicitor Vogdes addressed a previous problem, in which Medford Lakes Department of Public Works trucks were not able to obtain salt during a snow storm. At that time, salt was supposed to be available to the Borough, under a previous agreement and as outlined in Medford Lakes Ordinance 96. At this time, Superintendent Pat McCorriston does not have a key to the shed; Manager Knight will discuss the problem with Medford Manager Al Feit.

On January 24, 2004, Mr. Vogdes is scheduled to meet with Mark Magrann, representative of the Medford Lakes Country Club, to discuss the status of the water re-use project. Manager Knight advised Mr. Vogdes that the \$30,000 originally put in escrow has been depleted.

*PUBLIC COMMENT: James Cottingham, 202 Tabernacle Road, advised Council he remembered the original escrow amount was intended to be \$60,000; he would like the Medford Lakes Country Club to "pay up."*

Solicitor Vogdes will obtain the Evesham Township Towing Ordinance, make appropriate changes to it and forward to Chief Martine and Manager Knight for their input.

### COUNCIL REPORTS

Councilman Wasson discussed abandoned property codes, with regard to the Parks house at 61 Cutchogue Trail, which has been vacant for over 20 years. Mr. Wasson asked who determines if a property is abandoned. Mr. Parks pays the taxes on the property and has maintained it when required to do so.

Councilman Casey has received Annual Reports from the Police Department and the Fire Department.

Police enforcement figures are up over last year, even with the manpower shortage experience by the Department, due to Officer Tiver's pregnancy absence. Manager Knight responded to the Medford Lakes Police Officer's Association, with regard to questions concerning Officer Tiver's absence with regard to the contract.

The blood alcohol level for driving while intoxicated in New Jersey has been reduced from .10% BA to .08%BA, effective immediately.

Whelihan's must obtain permission from the State to renew their liquor license, due to lack of activity on their part for the proposed site.

*James Cottingham, 202 Tabernacle Road, is opposed to the lack of revenue from the property. He urged Council to forward a letter to Whelihan's asking them to proceed with the planned restaurant or Council would recommend the State not renew the liquor license.*

The Medford Lakes Emergency Squad responded to 33 calls in December.

The mediator has not responded to Manager Knight concerning issues between the Squad and the First Responders.

*Sandy Wasson, 97 Wabun Trail, asked when the new 1<sup>st</sup> Responder vehicle will be ready for the street, if it will have a litter transport, and if it will be used for transport. Fire Chief Mark McIntosh advised her that it should be ready for use mid-February and that the vehicle was donated to the Fire Company with a litter. Manager Knight advised Mrs. Wasson that he is not inclined to use the vehicle to transport; Council did not intend for it to be used as such.*

Council recessed for 10 minutes to review the Bill List.

**PAYMENT OF BILLS**

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

VOTE TO PAY BILLS  
Ayes: Woodend, Casey, Wasson  
Nays: None  
Payment of Bill List is approved

Councilman Casey made a motion, seconded by Councilman Wasson, to adjourn the meeting.

VOTE TO ADJOURN  
Ayes: Woodend, Casey, Wasson  
Nays: None  
Meeting adjourned at 9:25pm

Respectfully submitted,

Rich Knight, Borough Manager

