

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
JANUARY 8, 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, 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 Wasson, to approve the minutes of the December 23, 2003, Regular Council Meeting, with minor changes.

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

RESOLUTIONS

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

**RESOLUTION 1-04
A RESOLUTION RE-APPOINTING A MUNICIPAL MANAGER**

WHEREAS, there exists a need for a Municipal Manager; and

WHEREAS, the Borough desires to appoint Richard Knight as Municipal Manager; and

WHEREAS, Richard Knight can serve as Municipal Manager; and

WHEREAS, the terms of said appointment are set forth in a letter from the Solicitor dated August 14, 2003, which terms are incorporated herein; and

WHEREAS, the term for said office is established by N.J.S.A. 40A:79-1, et seq;

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 hereby is re-appointed as Municipal Manager for the Borough of Medford Lakes commencing January 1, 2004.
2. The terms and conditions of said agreement being contained in the letter from the Solicitor dated August 14, 2003;

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 1-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 1-04 is approved

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

**RESOLUTION 2-04
A RESOLUTION APPOINTING A MUNICIPAL SOLICITOR**

WHEREAS, there exists a need for a Municipal Attorney; and

WHEREAS, the Local Public Contract Law (NJSA 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with James M. Vogdes, III, Esq.
2. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-1 of the Local Public Contracts Law because James M. Vogdes, III, Esq. is a person authorized by law to practice a recognized profession in the State of New Jersey, to wit, the profession of attorney. These professional services are necessary and are required by this municipality.
3. A notice of this action shall be printed in The Central Record.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 2-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 2-04 is approved

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

RESOLUTION 3-04
A RESOLUTION APPOINTING BOROUGH RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Medford Lakes is desirous of appointing a Risk Management Consultant for the year 2004, to provide for the Borough's Insurance coverage for said year; and

WHEREAS, the Local Public Contract Law (NJSA 40A:11-1 et. seq.) requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Service" without bids and contract itself must be available for public inspection; and

WHEREAS, the Director of the Department of Revenue and Finance has certified that this meets the statute governing the award of said contract;

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

1. The Mayor and Borough Clerk be and they are hereby authorized to execute a contract with "Commerce Insurance Services."
2. This contract is awarded without competitive bidding as "Extraordinary Unspecifiable Services" in accordance with NJSA 40A:11-5 (1) (m) of the Local Public Contracts Law.
3. A notice of this action shall be published in The Central Record.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 3-04

Ayes: Woodend,

Nays: None

Abstain: Casey

Resolution 3-04 is approved

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

RESOLUTION 4-04
A RESOLUTION APPOINTMENTING A BOROUGH PUBLIC DEFENDER

WHEREAS, there exists a need for a Public Defender;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Peter Nelson, Esq. be and hereby is appointed Public Defender for the Borough of Medford Lakes for the term of one year effective January 1, 2004.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 4-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 4-04 is approved

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

RESOLUTION 5-04

A RESOLUTION ESTABLISHING A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2004

WHEREAS, the Open Public Meeting Law effective January 19, 1976 provides for the compilation and dissemination of a schedule of regular meetings for public bodies;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that the following be and hereby is a compilation of Regular meetings to be held by this Council during the year. In compliance with the Open Public Meetings Law PL 1975 C. 23,1 the Borough Council of the Borough of Medford Lakes disseminates the following **Annual Notice** of the schedule of meetings to be held during the calendar year 2004. All meetings (unless noticed) will commence at 7:30 PM prevailing time, in Denby Annex, Vaughn Hall, 79 Tecumseh Trail on the following dates:

<u>MEETING ONE</u>	<u>MEETING TWO</u>
JANUARY 8, 2004	JANUARY 22, 2004
FEBRUARY 11, 2004	FEBRUARY 26, 2004
MARCH 11, 2004	MARCH 25, 2004
APRIL 8, 2004	APRIL 22, 2004
MAY 13, 2004	MAY 27, 2004
JUNE 10, 2004	JUNE 24, 2004
JULY 01, 2004 (NOON)	JULY 22, 2004
AUGUST 12, 2004	
SEPTEMBER 9, 2004	SEPTEMBER 23, 2004
OCTOBER 14, 2004	OCTOBER 28, 2004
NOVEMBER 4, 2004	NOVEMBER 23, 2004
DECEMBER 9, 2004	DECEMBER 23, 2004

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 5-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 5-04 is approved

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

RESOLUTION 6-04

A RESOLUTION AUTHORIZING NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES

WHEREAS, it is required to designate newspapers for publication of Legal Notices;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **The Central Record**, Medford, NJ published weekly, **The Burlington County Times**, Willingboro, NJ, published daily and the **Courier-Post**, Cherry Hill, NJ, published daily, be authorized as

official newspapers for the publication of Legal Notices of the Borough: it being the intent of this resolution with respect to any Legal Notice that such may be published in either newspaper.

PUBLIC COMMENT: Ed Leggoe, 274 Chicagami Trail, voiced his opposition to using three newspapers for publication of legal notices. It was explained to him that, although the Central Record is the local paper, it is not always possible to post a legal notice within the legal amount of time required. The other two are daily papers and allow for proper notification. Mr. Leggoe and Mr. Aromando would both like to be added to the Borough's mailing list.

VOTE TO APPROVE RESOLUTION 6-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 6-04 is approved

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

RESOLUTION 7-04

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF A PETTY CASH FUND

WHEREAS, N.J.S.A.40A:5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Borough of Medford Lakes; and,

WHEREAS, said Petty Cash Fund was established by Resolution dated June 8, 1972, by the Borough Council of the Borough of Medford Lakes; and,

WHEREAS, it is the desire of the Borough Council that said fund be continued under direction of the Clerk;

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

1. During the year 2004 Richard J. Knight, Borough Clerk, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$200.00 pursuant to the provisions of N.J.S.A 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. Richard J. Knight, Borough Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 7-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 7-04 is approved

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

RESOLUTION 8-04

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2004

WHEREAS, NJSA 40A:5-14 mandates that the Governing Body of a Municipal Corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the State and organized under laws of the United States;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that, any financial institution or bank that is licensed to do business in the State of New Jersey and is covered by the Government Unit Deposit Protection Act, and the New Jersey Cash Management Fund be, and are, hereby designated as official depositories for Borough funds. Prior to the deposit of any Municipal funds in the above mentioned depositories said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered.

PUBLIC COMMENT: Mike Powers, 19 Onondago Trail, asked how many different banks are used as depositories and if they are local. The Borough solicits those banks with the best rates.

VOTE TO APPROVE RESOLUTION 8-04

Ayes: Woodend, Casey

Nays: Wasson

Resolution 8-04 is approved

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

RESOLUTION 9-04

A RESOLUTION AUTHORIZING INVESTMENT OF IDLE FUNDS AND FUND TRANSFERS

WHEREAS, it is desirable that idle funds of the Borough of Medford Lakes be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles such as investments to the investing institution; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Medford Lakes that it does authorize the above named Chief Financial Officer to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Borough checking or savings accounts to other Borough accounts;

2. To or from Borough checking or savings accounts to other Borough accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Medford Lakes, New Jersey.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 9-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 9-04 is approved

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

**RESOLUTION 10-04
A RESOLUTION APPOINTING A PROSECUTOR**

WHEREAS, Council wishes to designate a Municipal Prosecutor and Substitute Prosecutor;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Mark Tarantino be and hereby is appointed Prosecutor of the Borough of Medford Lakes for the term ending December 31, 2004 and Frank Cavello is appointed as Substitute Prosecutor of Medford Lakes for the term ending December 31, 2004; and

BE IT FURTHER RESOLVED that this appointment be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if Mr. Cavallo had a conflict of interest due to his position as the Medford Lakes School Board Solicitor; Council does not believe a conflict exists.

VOTE TO APPROVE RESOLUTION 10-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 10-04 is approved

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

**RESOLUTION 11-04
A RESOLUTION APPOINTING A DEPUTY MUNICIPAL CLERK**

WHEREAS, there exists a need for a Deputy Municipal Clerk in order to serve in the absence of the Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey as follows:

1. Mark J. McIntosh is hereby appointed Deputy Clerk for the Borough of Medford Lakes, for the term commencing January 1, 2004 and ending December 31, 2004.
2. The salary for this position shall be set forth by the Municipal Salary ordinance.

PUBLIC COMMENT: None.

VOTE TO APPROVE RESOLUTION 11-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 11-14 is approved

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

RESOLUTION 12-04

A RESOLUTION AUTHORIZING THE CLERK TO DESIGNATE DEPUTY ANIMAL LICENSING OFFICIALS

WHEREAS, provisions are made in N.J.S.A. 26 which provide for the licensing of dogs and cats; and

WHEREAS, the Borough of Medford Lakes has provided for same under Ordinance Number 287; and

WHEREAS, N.J.S.A. 40A:9-133 provides that licensing is one of the core duties of the Municipal Clerk and in the absence of another designated licensing official the Municipal Clerk shall serve as the licensing official for the municipality, and

WHEREAS, it is the Municipal Clerk's recommendation that in order to fulfill the requirement of animal licensing official that the following employees of the Borough of Medford Lakes are hereby designated as Animal Licensing Officials:

Richard J. Knight
Sherry Rockhill
Mark J. McIntosh

Tammy Haines
Patricia Gallo
Debra Valentino

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council, County of Burlington, State of New Jersey, that the above employees are authorized to serve as Deputy Licensing Officials for the issuance of dog and cat licenses.

PUBLIC COMMENT: None.

VOTE TO APPROVE RESOLUTION 12-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 12-04 is approved

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

RESOLUTION 13-04

A RESOLUTION AWARDED A CONTRACT OF PROFESSIONAL SERVICES OF MUNICIPAL AUDITOR

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Auditor to perform Auditing services for the Borough in connection with the preparation of the annual audit and financial statements; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et. seq.) requires that the resolution authorizing awarding of contracts for Professional Services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Robert Stewart of Inverso & Stewart, be and is, hereby appointed as the Municipal Auditor for the Borough of Medford Lakes for the calendar year 2004.

This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by the law.

PUBLIC COMMENT: Jim Cottingham, 202 Tabernacle Road, asked how many years Inverso and Stewart had served as the auditing firm for the Borough; Council believes it has been more than 15. Mr. Cottingham suggested changing the lead auditor, if not the entire firm, next year.

VOTE TO APPROVE RESOLUTION 13-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 13-04 is approved

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

RESOLUTION 14-04

A RESOLUTION AWARDING A CONTRACT OF PROFESSIONAL SERVICES OF MUNICIPAL ENGINEER

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Engineer to perform Engineering services for the Borough in connection with road work, tax maps, Sewerage Treatment Plant and mains; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the resolution authorizing awarding of contracts for Professional Services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Richard A. Alaimo Association of Engineers, be and is, hereby appointed as the Municipal Engineer for the Borough of Medford Lakes for the calendar year 2004.

This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by the law.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if a representative from Alaimo had attended at least six Council meetings during the last year, per their agreement; Council believes they did.

VOTE TO APPROVE RESOLUTION 14-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 14-04 is approved

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

RESOLUTION 15-04

A RESOLUTION APPOINTING HISTORIC COMMISSION MEMBERS

WHEREAS, vacancies exist in the membership of the Medford Lakes Historic Commission; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointment(s) be made to the Historic Commission:

<u>Name</u>	<u>Title</u>	<u>Class</u>	<u>Term</u>	<u>Start/Finish</u>
1. Michael McQuaid	Co-Chairman	A	2years	1/1/04-12/31/05
2. William T. Smith	Member	B	2years	1/1/04-12/31/05
3. Donald Ferry Jr.	Member	Alternate 2	2years	1/1/04-12/31/05

PUBLIC COMMENT: None.

VOTE TO APPROVE RESOLUTION 15-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 15-04 is approved

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

RESOLUTION 16-04

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 requires the Governing Body to make appropriations to provide for the period between January 1 and the adoption of the Budget; and,

WHEREAS, The total appropriation shall not exceed 26.25 % of the total of the appropriations for the preceding fiscal year, less the appropriations for interest and debt redemption charges capital improvement fund and public assistance. Amount allowable for the Current Fund is \$704,205.44 and the amount for the Wastewater Utility Operating Fund is \$171,551.36;

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 appropriations constitute the 2004 Temporary Budget for the Borough of Medford Lakes:

<u>APPROPRIATION</u>	<u>AMOUNT</u>
ADMINISTRATION & EXECUTIVE	
Salaries & Wages.....	\$ 22,664.41
Other Expenses.....	\$ 9,010.00
CLERK	
Salaries and Wages ..	\$10,000.00
Other Expenses	\$ 2,421.31
DATA PROCESSING	
Other Expenses.....	\$10,014.75
FINANCE ADMINISTRATION	
Other Expenses.....	\$ 3,498.00
ASSESSMENT OF TAXES	
Salaries and Wages ...	\$ 3,393.75
Other Expenses.....	\$ 490.25
COLLECTION OF TAXES	
Salaries and Expenses.....	\$ 2,693.44
Other Expenses.....	\$ 410.75
LEGAL SERVICES	
Salaries and Wages.....	\$ 4,095.00
ENGINEERING SERVICES	
Other Expenses.....	\$ 2,650.00
PUBLIC BUILDINGS AND GROUNDS	
Other Expenses.....	\$ 5,915.00
PLANNING BOARD	
Salaries and Wages.....	\$ 940.75
Other Expenses.....	\$ 1,722.50
ZONING CODE ENFORCEMENT	
Salaries and Wages.....	\$ 1,325.00
Other Expenses.....	\$ 119.25
INSURANCE	
Group Insurance for Employees.....	\$65,788.00
Surety Bonds.....	\$ 662.50
Other Insurance Premiums.....	\$100,000.00
Unemployment Compensation.....	\$ 265.00
PUBLIC SAFETY	
Fire - Other Expenses	\$ 9,672.50
Fire Official - Salaries and Wages	\$ 2,544.00
Fire Official - Other Expenses	\$ 291.50

Police - Salaries and Wages.. .. .	144,584.72
Police - Other Expenses.....	\$15,710.50
Office of Emergency Management - Salaries and Wages.....	\$ 565.61
Office of Emergency Management - Other Expenses.....	\$ 132.50
Contribution to First Aid Organization	\$ 3,445.00

SANITATION

Salaries and Wages.....	\$30,804.64
Other Expenses.....	\$61,406.25

STREETS AND ROADS

Salaries and Wages.....	\$63,534.25
Other Expenses.....	\$41,781.94

HEALTH AND WELFARE

Public Assistance - Salaries and Wages	\$ 397.50
--	-----------

RECREATION AND EDUCATION

Historic Preservation Commission - Salaries and Wages	\$ 588.25
Historic Preservation Commission - Other Expense	\$ 132.25

CONSTRUCTION CODE OFFICIAL

Salaries and Wages.....	\$ 6,595.27
Other Expenses.....	\$ 1,378.00

UNCLASSIFIED

Gasoline	\$ 9,312.50
Natural Gas	\$ 7,120.00
Electricity.....	\$ 4,770.00
Telephone.....	\$ 3,710.00
Street Lighting.....	\$ 1,590.00
Diesel Fuel and Fuel Oil.....	\$ 3,650.00
Printing and Postage	\$ 265.00
Public Employees Retirement System.....	\$ 6,000.00
Social Security	\$17,175.00
Police and Firemen Retirement System.....	\$ 4,786.43
Employee Pensions.....	\$ 410.75

MUNICIPAL COURT

Salaries and Wages.....	\$ 9,077.35
Other Expenses.....	\$ 3,842.50

Public Defender Salaries & Wages	\$ 677.15
---	-----------

TOTAL **\$704,205.44**

WASTEWATER UTILITY

Salaries and Wages.....	\$ 61,286.36
Other Expenses.....	\$ 104,000.00
Social Security	\$ 6,000.00
Unemployment Compensation.....	\$ 265.00
TOTAL	\$171,551.36

State Statute allows the approval of a temporary budget. It provides for the use of 26.25% of the previous year's funds to run the Borough until the approval of the actual budget. The deadline to introduce the final budget is February 10, 2004.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail asked if the auditor had to approve the budget before final implementation; Mr. Stewart will give direction to Council.

VOTE TO APPROVE RESOLUTION 16-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 16-04 is approved

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

RESOLUTION 17-04

A RESOLUTION AUTHORIZING FEES FOR INSPECTIONS CONDUCTED BY THE LOCAL ENFORCEMENT AGENCY

WHEREAS, the Uniform Fire Safety Act (P.L.1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, under the Uniform Fire Safety Act, the Borough of Medford Lakes does provide for local enforcement, which it has implemented under ordinance No. 307; and

WHEREAS, the fees for inspections shall be as established from time to time, and adopted by Resolution by the Borough Council;

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

1. During the year 2004, the Local Enforcement Agency be and is hereby authorized and permitted to establish fees for inspections.
2. In all Use Group R-3 dwellings subject to the requirements of N.J.A.C. 5:70-2.3, prior to the sale of any such property, it shall be inspected for compliance with this Article, whereupon a certificate of compliance will be issued. The fee established for smoke detector/ carbon monoxide inspections shall be \$35.00. Any inspection that is requested within 48 hours of the date of sale shall be at the fee of \$50.00.

3. All commercial, business or office uses which are not classified as Life Hazard uses as defined pursuant to the Uniform Fire Safety Act, shall be inspected annually. The fee for said inspection shall be \$35.00 per year. Non-profit organizations shall be exempt from the fee.
4. Permit fees shall be as established by the Uniform Fire Code which are as follows:

Type 1 -	\$29.00
Type 2 -	\$115.00
Type 3 -	\$230.00
Type 4 -	\$345.00
Type 5 -	\$1,150.00

The Medford Lakes Fire Official conducts inspections for smoke and carbon monoxide detectors.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 17-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 17-04 is approved

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

RESOLUTION 18-04

A RESOLUTION ADOPTING RULES AND REGULATIONS REGARDING IMPLEMENTATION OF LICENSING FEES

WHEREAS, Ordinance No. 478, as amended, at Section 9, provides that rules and regulations may be imposed by Resolution, implementing licensing fees;

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, the following fees shall be in effect until further notice:

DOGS

\$8.20 Spayed and Neutered

\$11.20, if not spayed and neutered.

\$10.00 Late Charge (to be assessed 30 days after due date)

CATS

\$8.20 Spayed and Neutered

\$11.20, if not spayed and neutered.

\$10.00 Late Charge (to be assessed 30 days after due date)

The late charge shall be due and payable for dogs and cats that are owned prior to January 31, 2004, annually, thirty (30) days after such date. For dogs and cats that are acquired after January 31, 2004, the late charge shall be due and payable thirty (30) days after the licensing is required under Section 6B, C and D.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 18-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 18-04 is approved

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

RESOLUTION 19-04

A RESOLUTION APPOINTING ENVIRONMENTAL COMMISSION MEMBERS

WHEREAS, one Environmental Commission member term will expire on December 31, 2003; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position on the Commission;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the following appointment(s) be made to the Environmental Commission:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Paul Weiss	Alternate 2	January 1, 2004	December 31, 2005

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 19-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 19-04 is approved

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

RESOLUTION 20-04

A RESOLUTION APPOINTING A MEMBER TO THE PLANNING BOARD

WHEREAS, vacancies exist in the membership of the Planning Board, and

WHEREAS, it is the desire of the Mayor and Borough Council to select qualified personnel to serve on various boards and commissions;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the following appointment(s) be made to the Planning Board:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
David Crane	4	January 1, 2004	December 31, 2004
Susan Shourds	4	January 1, 2004	December 31, 2007

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, voiced his opinion that Susan Shourds should not be reappointed to the Planning Board; he cited several instances in which she had to re-cuse herself due to her husband's position.

Ed Leggoe, 274 Chicagami Trail, agreed with Mr. Aromando, citing her attempts to have the Planning Board require recent surveys in the application project. He also feels she has a conflict of interest. All three members of Council disagreed with Mr. Aromando and Mr. Leggoe.

VOTE TO APPROVE RESOLUTION 20-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 20-04 is approved

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

**RESOLUTION 21-04
A RESOLUTION APPOINTING CROSSING GUARDS FOR 2004**

WHEREAS, it is the desire of the Borough to utilize Crossing Guards to assist in the safe movement of our children and other residents as they cross identified Borough crosswalks during School hours; and

WHEREAS, the New Jersey State Statute governing Crossing Guards requires that they be appointed each year; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position of Crossing Guard; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, that the following appointment(s) be made as Crossing Guards:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Diane Albrecht	Crossing Guard	January 1, 2004	December 31, 2004
Irene Bamford	Crossing Guard	January 1, 2004	December 31, 2004
Cliff Brass	Crossing Guard	January 1, 2004	December 31, 2004
Don Bray	Crossing Guard	January 1, 2004	December 31, 2004
Bob Dorsey	Crossing Guard	January 1, 2004	December 31, 2004
Janet Dwier	Crossing Guard	January 1, 2004	December 31, 2004
Leslie Ferry	Crossing Guard	January 1, 2004	December 31, 2004
Anne Hauck	Crossing Guard	January 1, 2004	December 31, 2004
Jim Hynes	Crossing Guard	January 1, 2004	December 31, 2004
Barbara Kinder	Crossing Guard	January 1, 2004	December 31, 2004
Nancy Morgan	Crossing Guard	January 1, 2004	December 31, 2004
Cathy Playford	Crossing Guard	January 1, 2004	December 31, 2004
Donna Tonucci	Crossing Guard	January 1, 2004	December 31, 2004
Monica Whittaker	Crossing Guard	January 1, 2004	December 31, 2004

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 21-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 21-04 is approved

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

RESOLUTION 22-04

A RESOLUTION AUTHORIZING THE ASSESSOR TO EXECUTE STIPULATIONS OF SETTLEMENT AND TO FILE ASSESSOR APPEALS.

WHEREAS, Statutory provision is made for the review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the Tax Rate; and

WHEREAS, changes in property ownership at times necessitates adjustment to the Veteran and/or Senior Citizens deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Assessor subject to Laws and Regulations;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council, County of Burlington, State of New Jersey, that the Assessor, fulfilling the duties and requirements of his office, be authorized to file with the Burlington County Board of Taxation such Appeals as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Medford Lakes; and

BE IT FURTHER RESOLVED, that the Assessor is hereby authorized to execute stipulations of settlement on behalf of the Municipality; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution accompany any Appeal filed by the Assessor with the Burlington County Board of Taxation.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 22-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 22-04 is approved

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

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.

Council discussed who is and is not eligible for the benefits plan incentive program. The New Jersey State Health Benefits Plan requires employees to work 20 hours per week to be considered full time employees.

PUBLIC COMMENT: None

Councilman Casey made a motion, seconded by Councilman Wasson, to table vote on the resolution until investigation can be made into who is eligible.

VOTE TO TABLE RESOLUTION 23-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 23-04 is tabled

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

RESOLUTION 24-04

A RESOLUTION AWARDED A PROFESSIONAL SERVICES CONTRACT FOR ANIMAL CONTROL OFFICER TO THE GARDEN STATE HUMANE SOCIETY

WHEREAS, the Borough of Medford Lakes is empowered under the laws of the State of New Jersey to retain and engage an Animal Control Officer; and

WHEREAS, the Contract 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 “Animal Control Officer” is awarded to:

1. The Garden State Humane Society, 217 Griffith Morgan Lane, Pennsauken, NJ, 08110 here after the, “Animal Control Officer”
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 24-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 24-04 is approved

OLD BUSINESS

HANDBOOK - Councilman Casey had an opportunity to briefly examine the proposed employee handbook. He will meet with Manager Knight and Solicitor Vogdes to marry it with Medford Lakes’ policies and practices.

CODIFICATION – Solicitor Vogdes reported the need to determine parameters for Historic, Land Development and Traffic ordinances. He will meet with Planning Board Chairman Alan Barnes and Code Official Tom Heck with regard to Land Development and with Chief Martine on Traffic.

NEW BUSINESS

FACILITIES – Mayor Woodend had changes for the RFPs; Manager Knight incorporated them into those already prepared.

Councilman Casey made a motion, seconded by Mayor Woodend, to direct the Manager to proceed.

RESOLUTION 25-04

A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO ADVERTISE A REQUEST FOR PROPOSALS (RFPs) FOR A CONSTRUCTION MANAGER FOR THE OAKS HALL PROJECT.

WHEREAS, the Borough Council of Medford Lakes desires to demolish and rebuild the Oaks Hall Municipal Building; and

WHEREAS, the bids for a General Contractor built complex have been rejected twice for exceeding the anticipated costs; and

WHEREAS, the Borough Council believes that costs can be kept in line with original estimates via a Construction Manager approach;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey as follows:

1. Richard J. Knight, Municipal Clerk is authorized to advertise a Request for Proposal (RFP) for a Construction Manager.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if Council had questioned the school board to determine how they proceeded with their building project. Solicitor Vogdes advised it is not the same process.

VOTE TO APPROVE RESOLUTION 25-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 25-04 is approved

BUDGET – Council will hold a Budget Workshop Meeting on January 14, 2004, at 6:30pm. The Department Heads for Police, Public Works, and Wastewater will each have one-half hour for discussion of their proposed budgets. Location for the meeting will be determined prior to it.

REPORTS

MANAGER – Mr. Knight reported his office is in the process of closing out 2003, and preparing the budget for 2004.

Manager Knight discussed “comp time” with Council. It is not listed anywhere in the current or proposed employee handbooks.

PUBLIC COMMENT: Jim Cottingham, 202 Tabernacle Road, suggested the “comp time” issue should be contingent on the reason for it; if an employee is required to attend classes, seminars or meetings outside of work time, they should be compensated. If they are attending to better themselves, there should be no Borough compensation.

Joe Aromando, 285 Shingowack Trail, suggested adjusting the daily schedule of anyone attending classes, seminars, or meetings outside of work time. In this way, “comp time” would not be accrued. He also believes all commitments made to employees should be in writing.

Councilman Wasson forwarded a letter to Mayor Woodend addressing his observations and opinions concerning the Squad and First Responder issue. He questioned whether firefighters also want to respond to squad calls due to the small numbers of fire calls. He questioned why the Borough should pay for EMT training for firefighters, when squad members are trained at no cost to the Borough.

Squad Chief Countess suggested numbers can be deceiving; of the 14 calls the First Responders reported for the previous month, they were only utilized for five of them. Fire Chief McIntosh countered that the First Responders were satisfied to have filled a need on the five calls.

Chief Countess sent an E-mail to Manager Knight requesting garage space for an ambulance currently housed in Medford. He has not been able to respond to her request.

SOLICITOR – Mr. Vogdes met with representatives of Cave Properties concerning their proposed sub-division. The plans are moving forward. Solicitor Vogdes provided Council with a draft vacating agreement.

The Grimes lawsuit has been filed. Mr. Vogdes assured Council that the Borough has a good case. Mr. Grimes is suing the Borough for false arrest on a warrant out of Newark, NJ.

Mr. Vogdes will investigate whether or not the Borough has any recourse with Medford Township. They failed to provide salt for the previous snow storm, contrary to the agreement between the two municipalities.

COUNCIL

COUNCILMAN CASEY – the Fire Department has a new firefighter graduating from the Fire Academy this date. Engine 3711 has blown the front pump packing; however, it is under warranty.

COUNCILMAN WASSON – Bob Palfy has returned to work without restrictions.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about vehicles that have been decommissioned by the Borough and when they would be liquidated. One truck will be given to Medford Township and the Borough will receive a trash truck from them. A surplus property sale will be held in February.

PAYMENT OF BILLS

A Bill List was not available for Council's approval.

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 26-04

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:

**PERSONNEL ISSUES
POLICY ISSUES
LEGAL ADVICE**

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

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

JANUARY 8, 2004 - Microsoft Word

File Edit View Insert Format Tools Table Window Help

Header Times New Roman 12 **B I U**

VOTE TO APPROVE RESOLUTION 21-04
Ayes: Woodend, Casey, Wasson
Nays: None
Resolution 21-04 is approved

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

RESOLUTION 22-04

A RESOLUTION

BODY HERE

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION
Ayes: Woodend, Casey, Wasson
Nays: None
Resolution 22-04 is approved

Page 8 Sec 1 8/8 At 6.6" Ln 30 Col 1 REC TRK EXT OVR

Start | I am that fly on the wall - M... | **JANUARY 8, 2004 - ...** | America Online