

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
MARCH 11, 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, Solicitor Jim Vogdes, Police Chief Frank Martine and Emergency Squad Chief Rosemary Countess.

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 February 26, 2004, Budget Workshop Meeting (#5.)

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes approved for Budget Workshop Meeting #5

Mayor Woodend made a motion, seconded by Councilman Wasson, to approve the minutes of the February 26, 2004, Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes 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 42-04

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX SALE

WHEREAS, the Borough of Medford Lakes Tax Collector has requested authorization from the Borough Council of Medford Lakes to conduct a tax sale on April 16, 2004, Second Floor of the firehouse, 10 Stokes Road, Medford Lakes, New Jersey, commencing at 11:00 AM: and,

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes the Tax Collector be and is hereby authorized to conduct said tax sale on April 16, 2004, at 11:00 AM, in the firehouse, 10 Stokes Road, Medford Lakes, New Jersey.

Tax Collector Patty Gallo has been making calls to remind residents about taxes that are due. The deadline is March 12, 2004. The tax sale will be advertised for April 16, 2004.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 42-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 42-04 is approved

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

RESOLUTION 49-04

A RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT BETWEEN THE BOROUGH OF MEDFORD LAKES AND MEDFORD EMERGENCY SQUAD INC., t/a MEDFORD LAKES EMERGENCY SQUAD, INC., REGARDING EMERGENCY MEDICAL SERVICES

WHEREAS, the Borough Council of the Borough of Medford Lakes adopted Ordinance Number 285 entitled: An Ordinance Authorizing an agreement and lease between the Borough of Medford Lakes and Medford Emergency Squad, Inc.” on March 14, 1991; and

WHEREAS, the aforementioned Ordinance provides that the lease authorized therein be renewed annually by the mutual agreement of the two parties; and

WHEREAS, it is the desire of the Borough Council of the Borough of Medford Lakes to renew the aforementioned agreement for a period of one year from the date of the expiration of the current agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford lakes as follows:

1. The lease agreement, which is attached hereto and made part hereof, by and between the Borough of Medford Lakes and Medford Emergency Squad be and is hereby authorized to be renewed for the one year period from March 11, 2004 until March 11, 2005.
2. The mayor and Borough Clerk are hereby authorized and directed to affix their signatures and seal to any and all documents necessary as evidence of this approval.

The change in the contract recognizes title of the ambulance to be held by the Emergency Squad. Squad Chief Rosemary Countess and Sandy Wasson reviewed the contract. The Squad will receive a copy of the contract to be reviewed by their attorney.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 49-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 49-04 is approved

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

RESOLUTION 50-04

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MOSQUITO SPRAYING AGREEMENT

WHEREAS, the County of Burlington will be conducting aerial Larval Mosquito Control in the Borough of Medford Lakes;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the mayor is authorized to execute an agreement with the Burlington County Mosquito Commission.

With the adoption of the resolution, any resident may no call directly to request spraying. The Borough office has information and a press release will be put in the Colony News.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 50-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 50-04 is approved

OLD BUSINESS

CELL TOWER – AT&T has signed their lease for position on the tower. They are doing design work and will then apply for their permit. Companies with tower leases are Sprint, Cingular, T-Mobile, and AT&T.

TRASH ORDINANCE – Council discussed a bulk trash ordinance. Solicitor Vogdes advised he feels the Rules and Regulations should cover any problems. Zoning Official Tom Heck and Superintendent of Public Works Pat McCorrison will be asked for their input. The issue will be on the agenda for a council meeting in April.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked Council to again consider moving large trash pickup day from Friday to Monday. The Friday pickup is on the current Borough calendar. Council discussed a possible change in September.

Mr. Aromando also spoke about contractors dropping off pressure-treated wood on Saturdays. He would like the Borough to provide a container for it. Manager Knight is in the process of obtaining a dumpster for the treated wood. Mr. Aromando also advised that contractors are dumping wood that is not from Medford Lakes' job sites. Council wants to enforce the policy of asking for permits to determine if the work has been completed in Medford Lakes. Mr. McCorrison will be asked to have his department enforce the policy.

EMPLOYEE HANDBOOK – the handbook is still evolving.

CODIFICATION – not much progress has been made since the last Council meeting.

FACILITIES – quotes have been received from log manufacturers. Council will meet with candidates for construction manager on March 24, 2004, at 7:00pm. The three candidates are Don Todd, Conrad Management, and Remington & Vernick.

CABLE NEGOTIATIONS – a Public Hearing has been scheduled for May 13, 2004. Manager Knight will advertise notice of the public hearing 45 days prior to it.

The League of Municipalities has an expert on franchising available for consultation.

PUBLIC NOTE: Councilman Casey advised those in attendance of a potential Internet scam. The program looks completely legitimate and asks for credit card information. A legitimate credit card company will never ask for any information over the Internet.

CAVE PROPERTIES – Council agreed that “the ball is in their court” concerning the proposed sub-division. The “private street” issue will have to be investigated.

NEW BUSINESS

The date for the second meeting in April was changed from the 22nd to the 29th. Councilman Casey has a conflict on April 22nd.

REPORTS

MANAGER – Mr. Knight attended a seminar at Edmunds for updated computer information. The new updates will be helpful.

Manager Knight received a letter from the Department of Health and Human Services, directing the Borough to refuse to issue licenses for or perform same-sex marriages.

A 2003 Ford Ranger pickup truck was donated by the Medford Lakes/Vincentown Rotary. The vehicle cost \$17,300. It is now in the Police Department's possession; it has only 3,500 miles on it. Council had previously agreed to register and insure the truck, but any other decorative work or outfitting would have to be made by donation. Police Chief Martine advised Council he would like to purchase a cover for the truck; Squad member Dave Mayo advised he has an empty bay at the Emergency Squad building in Medford which could be used to house the new truck.

Mayor Woodend made a motion, seconded by Councilman Casey, to thank the Rotary for their donation.

RESOLUTION 52-04

A RESOLUTION THANKING THE MEDFORD-VINCENTOWN ROTARY CLUB FOR THE DONATION OF A FORD RANGER PICK-UP TRUCK TO THE MEDFORD LAKES POLICE DEPARTMENT FOR THE “DRUG ABUSE RESISTANCE EDUCATION” (D.A.R.E) PROGRAM

WHEREAS, the Medford-Vincetown Rotary Club has graciously donated a Ford Ranger pick-up truck for use by the Medford Lakes Police Department; and

WHEREAS, the Medford Lakes Police Department appreciates the donation of the vehicle, as it will provide another resource for the “D.A.R.E” education program delivered by the Police Department in the school district of Medford Lakes;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby recognizes the Medford-Vincetown Rotary Club for their generosity.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 52-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 52-04 is approved

Council discussed the difficulty in managing a rotating list of tow agencies. Lt. Carbone suggested using a fixed list and calling the number next on the list, instead of a rotating schedule.

SOLICITOR – Council and Mr. Vogdes discussed the current Workman’s Comp case. The employee has already been out for two years; the Department of Public Works has operated one man short during the entire time. Councilman Casey suggested the Borough not wait any longer to hire a replacement Public Works employee.

COUNCIL

Councilman Wasson observed a demonstration of a new jet vac machine, which is used to clean sewer lines. The current one the Borough uses is at least 15 years old. Council is in the process of obtaining specs for a new system.

The Colony Lakes Restoration committee and the Department of Environmental Protection are investigating a new liquid substance to replace salt on icy roads. Another substance, cracked corn, is a possibility; it is environmentally safe.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about the storage shed and salt in Medford Township. Council and Manager Knight are trying to resolve the situation.

With regard to the request from a Basseler Road resident, the main sewer line to the property was checked with the camera. It appears to be in good working order. Council decided not to take any action on the sewer lines at this residence.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about the previous request to have the Department of Public Works and the Wastewater Department determine where the storm drains are located. Councilman Wasson was 98% certain that the project has been completed.

A recurring oil and gas problem at the Easi property at the corner of Stokes Road and Lenape Trail has surfaced again. The problem was addressed several years ago. The Pinelands and the Department of Environmental Protection will be examining the area; they will have plans to correct the problem by March 31, 2004.

The Pinelands Commission is relaxing some of its restrictions. Municipalities now have a Pinelands Review Policy to address issues.

Council discussed the regional school tax and had differing views on whether or not Medford Lakes' allocation will be increased or reduced.

Councilman Casey was pleased to have all three of his departments heads present.

Fire Chief Mark McIntosh reported the decals will soon be ready for 3719. Three new members are in firefighter training. Chief McIntosh is investigating a FEMA grant for the exhaust system at the firehouse and DPW bays.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about the Mutual Aid agreement the Borough has with Medford Township. Chief McIntosh advised that, according to Medford Township Director of Public Safety Ed Wood, Medford did not budget the \$125 per call paid to Medford Lakes for responding into Medford for fire calls. Mr. Aromando suggested that the Medford Lakes Fire Department not respond to calls in Medford Pines until the \$125 is re-instated. Council decided to investigate the situation with Medford Manager Al Feit before taking any action of that type.

Police Chief Frank Martine reported the D.A.R.E./G.R.E.A.T. graduation will be March 19, 2004, at 1:30pm at Neeta School.

The State has approved the striping for Lenape Trail. Council needs to approve a resolution memorializing it. Superintendent of Public Works Pat McCorrison has the name of a company to do the work at a cost of approximately \$3,000; it will be raised and reflective striping.

The traffic counter will be positioned on Chippewa Trail in the spring. This is in response to residents' concerns about the amount of traffic on the trail and the speed at which the vehicles travel.

Emergency Squad Chief Rosemary Countess reported the squad banquet was held the previous Saturday. It was well attended and a success. She entered the squad's monthly report into the record: the squad was dispatched 27 times during February; the first responders were dispatched 17 times and were used by the squad on six occasions.

The Memorandum of Understanding between the fire department and the emergency squad has not been received. When it is, Manager Knight will review and give it to Council.

PAYMENT OF BILLS

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

VOTE TO APPROVE BILL LIST

Ayes: Woodend, Casey, Wasson

Nays: None

Bills on list are approved to be paid

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 51-04

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:

SUPERIOR OFFICERS’ CONTRACT

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.

VOTE TO ADJOURN TO EXECUTIVE SESSION

Ayes: Woodend, Casey, Wasson

Nays: None

Meeting adjourned to Executive Session at 9:10pm

ADJOURNMENT

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

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

VOTE TO ADJOURN

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries, meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager