

**BOROUGH OF MEDFORD LAKES
SPECIAL COUNCIL MEETING
OCTOBER 7, 2004**

A special meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the second floor meeting room of the Medford Lakes Department beginning at 7:30am. Mayor Wasson presided. Following the Pledge of Allegiance, Mayor Wasson 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 and (4) 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 Dave Wasson, Councilman Timothy Casey, and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Flood Recovery Project Manager Jack Kaczur and Community Flood Recovery Liaison Clarence B. Wingert.

PUBLIC COMMENT

Mayor Wasson defers until the end of the meeting.

RESOLUTIONS

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

RESOLUTION NUMBER 130-04

AN EMERGENCY RESOLUTION AUTHORIZING THE PURCHASE OF A SUBMERSIBLE PUMP STATION TO REPLACE THE TEMPORARY WASTEWATER BYPASS PUMP SYSTEM ON BEACH DRIVE

WHEREAS, a state of emergency arose, which occurred on or about July 12, 2004, at which time the BEACH DRIVE DAM breached, causing enormous flood damage to streets, bridges and public property, including the SEWER PLANT and FIREHOUSE, and the BEACH DRIVE SEWER LINE, which all needed to be repaired, on an emergency basis. If the work was not immediately done, serious damage could have resulted; and

WHEREAS, the potential lack of sewer service to the citizens of the Borough creates a dangerous condition; and

WHEREAS, the DEP, by letter dated October 4, 2004 demands immediate action before cold weather sets in, eliminating the temporary pump now processing sewage flow from the side of town to the other; and

WHEREAS, the lack of functioning roads, bridges and sewer lines creates a dangerous condition; and

WHEREAS, based upon the certified statement of the C.F.O., attached hereto, an emergency is created, which does not permit time to bid out; and

WHEREAS, the contractor, GAYLE CORPORATION, is the best contractor available to do the work rapidly, and there is not time to engage the bidding process; and

WHEREAS, it is extremely important that the Borough's sewer system be functioning to avoid a public health crisis and comply with DEP directives.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that in accordance with N.J.S.A. 40A: 11-6, and the New Jersey Administrative Code, N.J.A.C. 5:34-6.2 an emergency is hereby declared to exist; and

BE IT FURTHER RESOLVED, that the Board of Commissioners enter into an emergency agreement with GAYLE CORPORATION for the purchase of a submersible pump and does hereby ratify and confirm the agreement that the cost for same shall not exceed Fifty-Five Thousand Dollars (\$55,000.00)

PUBLIC COMMENT: None

COUNCIL COMMENT: Project Manager Kaczur showed a drawing of the proposed permanent system and explained the dynamics of how the current bypass is operating, how the pre-flood system worked and how the post flood permanent system will operate. Manager Knight also discussed the letter from the DEP (attached to resolution) that requires the Borough to adopt a permanent solution. Resident Rep. Clarence B. Wingert, 155 Askoran Trail asked if the Gas Company had shut down the pipe across Beach Drive Dam. Councilman Woodend stated that the line had been capped and the Gas was flowing an alternate route.

VOTE TO APPROVE RESOLUTION 130-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 130-04 is approved

Councilman Casey introduced the following resolution, seconded by Mayor Wasson

OLD BUSINESS

PROJECT MANAGER JACK KACZUR – Mr. Kaczur had previously provided Council with his report to date on the status of the recovery and applications to FEMA. Mr. Kaczur explained pertinent items in the report and discussed the FEMA procedure for repairing the dams lost in the flood. Mr. Kaczur estimated the repair cost to run as high as \$9,000,000, which would also include repair work on Tabernacle Road and Lenape Trail.

Resolution No.: 131-04

A RESOLUTION AUTHORIZING THE BOROUGH AUDITOR TO CONDUCT AN INTERIM AUDIT OF THE BOROUGH FINANCES

WHEREAS, the BOROUGH OF MEDFORD LAKES was adversely affected on July 12, 2004 by a catastrophic flood; and

WHEREAS, the impact of the flood is causing short and long term financial concerns; and

WHEREAS, it is the desire of BOROUGH COUNCIL to have the Official Auditors of the BOROUGH review the current financial status of the BOROUGH; and

WHEREAS, the BOROUGH OF MEDFORD LAKES wishes to enter into an Agreement with INVERSO & STEWART to conduct an interim audit of the BOROUGH finances; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES, County of Burlington, and State of New Jersey, that the Mayor and Clerk of the BOROUGH OF MEDFORD

LAKES are hereby authorized to enter an Agreement with INVERSO & STEWART, municipal auditors, to conduct an interim audit of the Borough Finances.

The implementation of this Resolution and execution of contract is conditioned upon certification of availability of funds pursuant to law.

PUBLIC COMMENT: None

COUNCIL COMMENT: Results by first meeting in November.

VOTE TO APPROVE RESOLUTION 131-04

Ayes: Casey, Wasson, Woodend

Nays: None

Resolution 131-04 is approved

Mayor Wasson introduced the following resolution, seconded by Councilman Casey

Resolution No.: 132-04

A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A CONTRACT TO DEMOLISH THE MUNICIPAL BUILDING ALSO KNOWN AS OAKS HALL

WHEREAS, the BOROUGH OF MEDFORD LAKES administration building was condemned and declared a hazard and uninhabitable by the Construction Official; and

WHEREAS, it is the desire of BOROUGH COUNCIL to build a new administrative office; and

WHEREAS, the condemned building must be torn down and the debris removed in a safe manner by a qualified demolition contractor; and

WHEREAS, the BOROUGH OF MEDFORD LAKES received quotes from qualified demolition contractors and has awarded the project to the lowest qualified bidder; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES, County of Burlington, and State of New Jersey, that the Mayor and Manager of the BOROUGH OF MEDFORD LAKES are hereby authorized to enter an Agreement with WM. HARGROVE DEMOLITION 1507 State Street, Camden, NJ 08105, for demolition and debris removal of the MUNICIPAL BUILDING at CABIN CIRCLE not to exceed \$16,500.00.

The implementation of this Resolution and execution of contract is conditioned upon certification of availability of funds pursuant to law.

PUBLIC COMMENT: None

COUNCIL COMMENT: None

VOTE TO APPROVE RESOLUTION 132-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 132-04 is approved

REPORTS

PUBLIC COMMENT:

COUNCILMAN WOODEND – Mr. Woodend had no additional items for report at this time.

COUNCILMAN CASEY – Mr. Casey advised the public that Council would meet in Executive Session following the public portion of the meeting to discuss a Certified Municipal Financial Officer.

MAYOR WASSON – Mr. Wasson reported the new flashing lights have been installed on Stokes Road for traffic control of the school crossing area at Stokes Road and Minnetonka Trail.

The Medford Lakes Department of Public Works is back on it's winter schedule, with a working day from 7:30am to 3:30pm.

Wastewater Superintendent Paul Hayden is scheduled to have shoulder surgery. Assistant Superintendent Harry Walton will be responsible for the plant during Mr. Hayden's absence.

PAYMENT OF BILLS

Councilman Woodend made a motion, seconded by Mayor Wasson, to pay the bills on the Bill List.

VOTE TO PAY BILLS

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

ADDITIONAL PUBLIC COMMENT

James Cottingham, 202 Tabernacle Road, asked the status of the Medford Lakes Country Club's plan to use re-claimed water to sprinkle the golf course greens. Council has not taken any action on the issue since the last time Mr. Cottingham attended a meeting.

VOTE TO ADJOURN TO EXECUTIVE SESSION

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

RESOLUTION 119 -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 REGARDING A CERTIFIED MUNICIPAL FINANCE OFFICER

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 APPROVE RESOLUTION 119-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 119-04 is approved

ADJOURNMENT

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

Respectfully submitted,

Richard Knight
Borough Manager