

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
APRIL 28, 2005**

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 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, (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 Dave Wasson, Councilman Tim Casey, and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, and Solicitor Jim Vogdes.

PUBLIC COMMENT

Greg Armbruster, groundskeeper for the Medford Lakes Country Club, spoke to Council about the status of the water reclamation project. The club hopes to pump effluent from the Medford Lakes Wastewater plant to the club for use on their golf course. A meeting is scheduled for Friday, April 29th, between club representatives and members of the Pinelands Commission regarding issues with the pond on the course. Following that, the country club wants to re-start discussions with Council again concerning the project. Mr. Armbruster reported the country club is pursuing funding; DEP grant money is available for effluent projects.

Jim Walker, 251 Chicagami Trail, asked if the Beach Drive pumping station is finished. Manager Knight advised him the project is complete, with the exception of the landscaping and fencing.

MAYOR PROCLAMATION

Mayor Wasson presented a certificate of mayoral congratulation to Edith Shinn, formerly of Medford Lakes, who celebrated her 106th birthday. Her daughter, Virginia Whelan, accepted the certificate and thanked Council and the residents of Medford Lakes for the honor for her mother.

APPROVAL OF MINUTES

Mayor Wasson made a motion, seconded by Councilman Woodend, to approve the minutes of the Regular Council Meeting of April 28, 2005.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Woodend

Nays: None

Abstain: Casey (absent from the meeting)

Motion carries

ORDINANCES

Councilman Casey introduced Ordinance 506, seconded by Mayor Wasson, on Second and Final Reading.

ORDINANCE 506

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR EACH EMPLOYEE AND OFFICER OF THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2005 AND SPECIFYING THE METHOD OF PAYMENT

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes in the County of Burlington, New Jersey that:

Section 1. The following salaries designated herein are fixed on an annual basis respective to the position listed below. All employees may be paid bi-weekly, monthly or quarterly, as directed by the Borough Manager:

Overtime compensation for hours worked in excess of the regular workweek (40 hours) shall be at time and one-half rate.

Section 2. The rates of salaries stated herein are the maximum rates and ranges. Employees may be paid up to these ranges at the discretion of the Municipal Manager.

ADMINISTRATION

<u>Title</u>	<u>Maximum Compensation Exclusive of Overtime</u>
Mayor and Council	\$ 1,700.00
Municipal Manager	31,065.00
Municipal Clerk	31,065.00
Chief Financial Officer	36,000.00
Clerical Staff	42,848.00
Part Time Clerical	Per Hour 17.14
Tax Assessor	15,588.10
Tax Collector	12,360.00
Sewer Collector	15,180.00
Safety Coordinator	5,365.00
Recycling Coordinator	3,500.00
Solicitor	26,000.00
Secretary to the Historic Commission	2,545.15
Secretary to the Planning Board	4,623.30
Prosecutor	5,549.44
Public Defender	2,764.32
Deputy Clerk	14,100.00
Deputy Treasurer	10,000.00
Borough Council Meeting Secretary	\$125.00 for each Council Meeting

Overtime compensation for clerical assistants for hours worked in excess of the regular workweek (35 Hours) shall be at time and one-half rate.

MUNICIPAL COURT

Judge		8,929.44
Municipal Court Administrator		Hourly not to exceed \$17,738.66
		\$100.00 per court session & \$30 for each call-in
Deputy Court Administrator		\$100 per court session & \$75.00 for each call-in

POLICE DEPARTMENT

Crossing Guards	Per Hour	13.10
Special Police	Per Hour	16.07

CODE ENFORCEMENT

Construction Official		10,000.00
Electrical Sub-code Official		4,635.00
Plumbing Sub-code Official		4,635.00
Fire Sub-code Official		4,635.00
Code Enforcement Officer		4,820.40

EMERGENCY MANAGEMENT

Emergency Management Coordinator		2,000.00
Deputy emergency Management Coordinator		400.00

BUREAU OF FIRE PREVENTION

Fire Official		3,749.00
Fire Inspector		1,700.00
Fire Administrator		5,200.00

PUBLIC WORKS/SANITATION

Superintendent		69,092.41
Foreman	Per hour	22.84
Laborer Class C	Per hour	12.81
Laborer Class B	Per hour	15.19
Laborer Class A	Per hour	19.11
Mechanic	Per hour	12.00

WASTEWATER TREATMENT UTILITY

Superintendent		66,543.41
Operators Assistant	Per hour	20.28
Laborers	Per hour	22.81
Clerical		20,000.00

Section 3. The Manager, at his/her discretion, can hire replacement employees up to and including the present maximum rates as set forth in this Ordinance.

Section 4. Members of the Police Department entitled to additional compensation for authorized duty in excess of the hours of ordinary duty or for allowances of expenses and promotion of officers shall be paid for such excess hours, expenses and promotions in accordance with the agreement made between the Borough of Medford Lakes and the Medford Lakes Police Officers Association. Such compensation however, shall not be less than permitted by applicable State and Federal Law.

Section 5. Longevity - All full time salaried and hourly employees shall be entitled to a longevity payment in November of the calendar year in which the second anniversary of continuous employment occurs, and annually thereafter. The annual longevity payment, upon entitlement, shall be calculated at the rate of \$100.00 per year of continuous employment ending in that calendar year provided however, that the annual longevity payment shall not exceed 7% of the current year's salary, or in the case of hourly employees, the annual regular time compensation based on 2,080 hours times the current hourly rate. In the event that an employee who is otherwise eligible for a longevity payment, terminates his/her employment with the Borough prior to the time when such payments are regularly paid, he/she shall be entitled to a pro rated payment as of the date employment with the Borough terminated.

Section 6. Shift Differential - Members of the Police Department who are regularly assigned to continuous operation shifts or twenty-four rotating shift work, shall be paid a shift differential equal to two per cent (2%) of the employees base wages for the year. Such payment shall be made in a lump sum amount annually with the last regular pay period in November. In the event a member terminates employment before the November, payment shall be pro rated and paid upon termination.

Section 7. The salaries fixed by the foregoing section of this Ordinance shall respectively in lieu of any and all fees which the respective incumbents of said office might otherwise be entitled by Statute or otherwise by virtue of said office, which fees shall immediately upon collection thereof be paid over to the Chief Finance Officer of the Borough.

Section 8. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately upon its final adoption and publication according to law, but the rate of compensation provided for herein shall become effective as of January 1, 2005.

PUBLIC COMMENT: None

VOTE TO APPROVE ORDINANCE 506 ON SECOND AND FINAL READING

Ayes: Wasson, Casey, Woodend

Nays: None

Ordinance 506 is approved on Second and Final Reading

Mayor Wasson introduced Ordinance 507, seconded by Councilman Casey, on Second and Final Reading.

ORDINANCE 507

AN ORDINANCE AUTHORIZING THE APPROPRIATION IN THE AMOUNT OF \$74,000 FROM THE RESERVE FOR PUBLIC WORKS EQUIPMENT FUND, FOR THE ACQUISITION OF CERTAIN EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, AND THE STATE OF NEW JERSEY

BE IT ORDAINED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, and State of New Jersey, as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby authorized as general improvements to be made by the Borough of Medford Lakes, New Jersey. For the said improvements or purposes stated in Section 2, there is hereby appropriated the sum of seventy four thousand dollars and

00/100 (\$74,000), which is now available in the Reserve for Public Works Equipment of the Borough of Medford Lakes.

SECTION 2. (a) The improvement hereby authorized is the acquisition of a replacement cab and chassis brush truck for use by the Borough of Medford Lakes Public Works Department.

(b) The estimated cost of said acquisition is seventy four thousand dollars (\$74,000) for the improvements described in Section 2 (a) above, which sum is hereby appropriated from the Reserve for Public Works Equipment Fund.

SECTION 3. The following matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 2 of this Ordinance is not a current expense, and is a property or an improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose, within the limitations of said Local Bond Law, and according to the reasonable life thereof, is five (5) years for Section 2 above.

SECTION 4. The 2005 General Capital Budget of the Borough of Medford Lakes is hereby amended to conform to the provisions of this Ordinance to the extent of any inconsistency herewith.

SECTION 5. This ordinance shall take effect after publication and final passage, according to law.

Council directed Manager Knight to resolve the issue with the damaged truck and storage at Flanagan's Mobil, and with a salvage title.

PUBLIC COMMENT: None

VOTE TO APPROVE ORDINANCE 507 ON SECOND AND FINAL READING
Ayes: Wasson, Casey, Woodend
Nays: None
Ordinance 507 is approved on Second and Final Reading

RESOLUTIONS

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

**RESOLUTION 50-05
A RESOLUTION ESTABLISHING POLICE OFFICERS MEMORIAL WEEK**

WHEREAS, the Congress and the President of the United States have designated May 15, 2005, as Peace Officers' Memorial Day, and the week in which May 15, 2005 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Borough of Medford Lakes play an essential role in safeguarding the rights and freedoms of the Borough of Medford Lakes; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of law enforcement in the Borough of Medford Lakes unceasingly provide a vital public service;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, that all citizens of the Borough observe the week of May 11-17, 2005, as Police Week. Further, May 15, 2005, shall be dedicated as Peace Officers' Memorial Day to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 50-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 50-05 is approved

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

RESOLUTION 51-05

A RESOLUTION AUTHORIZING THE REFUND OF LAND USE BOARD ESCROW FEES

WHEREAS, on certain occasions an escrow account is set up between a property owner and the Land Use Board (planning board) of Medford Lakes; and

WHEREAS, once the requirement causing the need for escrow is met by the property owner there is on occasion a balance left in the account due the property owner; and

WHEREAS, on April 21, 2005, the Planning Board adopted, by a majority vote, to refund all escrow accounts that were no longer required to be kept;

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the following property owners receive refunds from their escrow accounts:

<u>APPLICANT</u>	<u>AMOUNT OF REFUND</u>	<u>BLOCK/ LOT</u>
Thomas J. Hunt, Jr.	\$ 15.00	10021/ 14
Michael Gazzara	150.00	20017/ 426
Richard & Cynthia Fritschy	25.00	20003/ 39
Deidre Thurber	25.00	10008/ 10.02
Joseph Sokolowski	150.00	20008/ 185
Daryl Henson	15.00	30076/ 3022
Eugene Raymond	15.00	20017/ 429.01
Thomas Evison	150.00	10021/ 16
Chip Schindler	150.00	30106/ 3750

Daniel Williams	20.76	20017/ 421
Patrick Pyne	10.38	20021/ 605
Jonathan Rudman	15.00	30018/ 724
Shawn Boyce	25.00	30024/ 898.01
James Warren	10.00	20021/ 576
Richard Sewekow	25.00	10034/ 30
Robert Hanold	10.00	30068/ 2855
Eric Newman	10.00	30010/ 407
Richard Kaz	10.00	30080/ 3136
Antonia McBride	10.00	20003/ 49
Gregory Brunitti	10.00	30110/ 3965

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 51-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 1-05 is approved

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

RESOLUTION 52-05

A RESOLUTION IN SUPPORT OF A PERMANENT AND CONSTITUTIONALLY GUARANTEED REDUCTION IN PROPERTY TAXES

WHEREAS, New Jersey has some of the highest property taxes in the United States; and

WHEREAS, property taxes have increased by 6.3 percent statewide in the past year alone with many towns experiencing increases of 10 percent or more; and

WHEREAS, the total property tax levy in New Jersey has increased by 33 percent in the past five years; and

WHEREAS, the state government has provided only marginal amounts of state aid for property tax relief in the last three years, and maybe providing no increase in state aid this year; and

WHEREAS, the ever increasing property tax burden is making it difficult for families to afford living in our communities and is particularly troublesome for seniors living on fixed incomes; and

WHEREAS, all of these factors combined justify calling the current situation a property tax crisis; and

WHEREAS, it is the responsibility of the legislature to address problems of this magnitude;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that we support a permanent and constitutionally guaranteed thirty- percent reduction in property taxes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 52-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 52-05 is approved

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

RESOLUTION 53-05

A RESOLUTION AUTHORIZING THE BOROUGH TO ACCESS COLONY PROPERTY IN ORDER TO REPAIR AND MAINTAIN A SANITARY SEWER PIPE

WHEREAS, where it is necessary for the Borough of Medford Lakes to enter upon Colony property known as Block 30053, Lot 1, in order to repair and thereafter maintain a sanitary sewer pipe; and

WHEREAS, an easement is attached hereto authorizing same, and is proposed to be executed by the Colony and the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the Borough be and is hereby authorized to execute the attached easement agreement, and the Mayor and Clerk are authorized to sign same.

The piping runs from Osage Trail, through Wilson Field, and then to the Wastewater Plant.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 53-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 53-05 is approved

Councilman Casey introduced the following resolution, seconded by Mayor Wasson, subject to review by the Borough Solicitor:

RESOLUTION 54-05

A RESOLUTION AUTHORIZING THE BOROUGH TO ENTER AN AGREEMENT WITH THE ML COLONY TO MAKE APPLICATION FOR USDA FUNDING

WHEREAS, the Borough of Medford Lakes wishes to coordinate its dam restoration projects with the Colony, owner of the lake beds of Upper and Lower Aetna, regarding an appropriate agreement for providing for coordination of project and division of costs; and

WHEREAS, application has been made to the USDA for funding of various Borough flood related projects, which would include Lake Restoration;

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 Borough does approve the execution of such agreement with the Colony, subject to approval by the Solicitor, of the attached Agreement.

An Inter-local Agreement with the Colony is required.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 54-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 54-05 is approved

OLD BUSINESS

DAMS – Manager Knight received a report from Dewberry, the firm preparing the conceptual design for the dams. They hope to appear before the DEP by the second week in May. The task force will have a meeting on May 10, 2005.

Council and the public discussed how Beach Drive would be rebuilt, whether for two-way traffic or for emergency vehicles only.

PUBLIC COMMENT: Chris Myles, 16 Tahtepay Trail, asked if any progress had been made in finding a project manager for the dam reconstruction. Salary for the position may be reimbursable by FEMA. Manager Knight also suggested sharing a project manager with the Colony to save money. Manager Knight, CMFO Donna Condo and Councilman Casey will meet on Monday, May 2, 2005, to discuss a manager for the flood recovery project.

Dick Thurber, 198 Chippewa Trail, asked Council to opt for emergency vehicle traffic only. Previously, residents of Chippewa Trail had expressed their desire to restrict through traffic. However, the Borough may be required to construct it as a thru street in order to qualify for FEMA funding.

Mike Powers, 19 Onondago Trail, asked how a restriction for use by emergency vehicles could be regulated; pylons could be used, as they are in Medford Pines at their dam.

Jim Walker asked if the public would still be able to review the plans; which they will.

Council directed Manager Knight to obtain plans for the dams and Beach Drive when they become available. He will contact Peter Black of Dewberry and ask him to attend a meeting to explain the plans to the public.

Council also directed Manager Knight to advise the task force when the plans become available.

Manager Knight was also asked by Council to investigate a way in which the plans could be secured to the outside of the building under glass so the public would have access to them, without entering the Borough office, which is already overcrowded.

WHELIHANS – the restaurant hopes to open within the next two weeks. Fire Chief McIntosh completed the preliminary walk thru.

DPW/FIRE COMPLEX – Council is waiting for estimates from Adison & Holberg, the architectural firm designing the facility.

EMPLOYEE HANDBOOK – Solicitor Vogdes hopes to complete the handbook in the next two months.

WORKMAN'S COMP CASE – the previous public works employee who was injured has taken another job; the case is closed. Manager Knight reported he sent a letter to Steve Rockhill, outlining the mechanic's position he is considering. Mr. Rockhill was asked to reply by May 10, 2005, as to his decision to accept or reject the job offer.

HAZARDOUS WASTE PICKUP – the County-wide pickup of hazardous waste will be held in Medford Lakes on May 21, 2005, from 9:00am to noon. Saturday, April 30, 2005, is used computer drop off in Lumberton.

BOB MEYER PROPERTIES – Councilman Woodend advised Council he is close to an agreement concerning the sub-division planned for the area behind Nokomis School in Medford. He declined to elaborate on the politics involved.

OAKS HALL – Jim Madden, construction manager for the rebuilding project, addressed Council. He will provide Council with a monthly status report.

Mr. Madden recommended using Regan Architect's drawings when going out for bids, and not Maple Island's.

Council and Mr. Madden discussed how to prepare and disseminate the bid specs and how to award the bids. The bid specs will be divided into classes for comparison.

Council discussed whether or not the project would have to be bonded; it will. However, a "letter of credit" will suffice in lieu of a bond.

Council directed Manager Knight to draft a letter to the Pinelands and attached the letter from the DEP determining that the underground oil contamination is no longer a problem. He will copy John Stokes and ERI.

LENAPE SCHOOL DISTRICT – the Lenape District will hold a meeting on Tuesday, May 3, 2005, at 7:30pm.

Councilman Casey made a motion, seconded by Councilman Woodend, to have Mayor Wasson represent the Borough at the meeting.

PUBLIC COMMENT: None

VOTE ON MOTION

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

ML SCHOOL BUDGET DEFEAT – Council reported the school board members are disappointed with the election vote, but feels they presented a good budget. The original tax increase was slated to be .076 cents, which was reduced to .056 cents for the final budget.

Council directed Manager Knight to ask School Superintendent Diane Bacher and Business Administrator Diana Schiraldi to attend the Regular Council Meeting on May 12, 2005. At that time, they will be able to defend the budget and suggest additional cuts.

MLPOA CONTRACT – Council and representatives of the police officer’s union met for the second time. At the first meeting, the MLPOA presented their agenda. At the second meeting, Council presented theirs. The MLPOA will hold a meeting of the membership on Sunday, May 1, 2005, to discuss the issues. A third meeting will then be scheduled between the two organization’s representatives. At issue are raise increases, sick time buy back, duration of the contract, and maternity leave.

REPORTS

Councilman Wasson advised Council that school boards in New Jersey are working in conjunction with municipalities to lobby in Trenton. Issues include budget cuts and unfunded, mandated programs.

PAYMENT OF BILLS

Council discussed the bills and discussed the expenses incurred by the fire department banquet. Fire Chief McIntosh defended the Fire Department’s banquet as a necessary function. He advised Council he works constantly to keep volunteers and recruit new ones; the banquet is one way in which to honor volunteers and their spouses for their sacrifices.

Councilman Woodend asked that next year, prior to plans being made for the banquets, Chief McIntosh meet with Manager Knight to discuss available funds.

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

VOTE TO PAY BILLS ON BILL LIST

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

ADJOURNMENT

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

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

