

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
AUGUST 11, 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 7:00pm. 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 and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor Vogdes, and Police Chief Frank Martine. Councilman Tim Casey was on vacation.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

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

VOTE TO APPROVE MINUTES

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Motion carries, minutes are approved for July 28, 2005

ORDINANCES

Mayor Wasson introduced the following ordinance, seconded by Councilman Woodend, on First Reading.

ORDINANCE 511

AN ORDINANCE AUTHORIZING THE APPROPRIATION IN THE AMOUNT OF \$29,000 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, COUNTY OF BURLINGTON AND 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 said improvements or

purposes stated in Section 2, there is hereby appropriated the sum of \$29,000, which is now available in the Reserve for public works equipment of the Borough of Medford Lakes; and

SECTION 2. (a) The improvement hereby authorized is for the acquisition of equipment for use by the Borough of Medford Lakes Public Works Department; and

(b) The estimated cost of said acquisition is \$29,000 for the improvements described in Section 2 (a) above, which sum is hereby appropriated from the Reserve for Public Works Equipment Fund; and

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 property or 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 years for Section 2 above; and

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; and

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

VOTE TO APPROVE ORDINANCE 511 ON FIRST READING

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Ordinance 511 is approved on First Reading

Second Reading will be September 8, 2005.

Mayor Wasson introduced the following ordinance, seconded by Councilman Woodend, on First Reading.

ORDINANCE 512

A BOND ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO UPPER AND LOWER AETNA LAKE DAMS AND THE QUOGUE DAM; APPROPRIATING THE SUM OF \$8,846,561 THEREFORE; AUTHORIZING THE ISSUANCE OF \$7,875,000 BOND OR NOTES OF THE BOROUGH TO FINANCE SAID IMPROVEMENTS; AND MAKING CERTAIN DETERMINATIONS AND CONVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey (not less than two-thirds of all members therefore affirmatively concurring) pursuant to the provisions of the local bond law, chapter 169 of the laws of 1960 of the state of new jersey, as amended and supplemented ("local bond law"), as follows:

Section 1. The improvements described in Section 3 of this Ordinance are hereby authorized to be undertaken by the Borough of Medford Lakes (the "Borough"), situate in the County of Burlington, New Jersey as general improvements. For the improvements or purposes described in Section 3, there is hereby

appropriated the sum of \$8,846,561, including the sum of \$971,561 received from the State of New Jersey, Department of Environmental Protection, Office of Engineering and Construction.

Section 2. In order to finance the cost of the purposes or improvements and to meet the part of said \$8,846,561 emergency related appropriation not provided by the application of the grant received by the State of New Jersey, negotiable bonds are hereby authorized to be issued in the principal amount of \$7,875,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose; and the period of usefulness of each said purpose within the limitations of the Local Bond Law, all as more fully described in accordance with specifications on file in the office of the Borough Clerk, are as follows:

PURPOSE/IMPROVEMENT:

Estimated Total Cost	Down Payment	Amount of Obligation	Period of Usefulness
\$8,846,561.00	\$971,561.00	\$7,875,000.00	30 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$7,875,000.

(c) The estimated cost of the improvement is \$8,846,561, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefore in the amount of \$971,561, the grant monies for set purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Borough's financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the financial officer. The financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8(a). The financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The financial officer is directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser. The financial officer is authorized and directed to comply with all post-issuance requirements under the Internal Revenue Code of 1986, as amended, to insure that the interest on such bonds or notes remains exempt from gross income for federal income tax and New Jersey Gross Income Tax Act purposes, if so sold, and to make any and all determinations or elections necessary or desirable with regard to such tax status and may invest the proceeds of any such sale in accordance therewith.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution, in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the

Director of the Division of Local Government Services, is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3(a) of this ordinance is not a current expense. They are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property benefited thereby.
- (b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, taking into consideration the respective amounts of bonds or notes, is not less than 30 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$7,875,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$1,400,000 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.
- (e) The financial officer is authorized to designate such bonds or notes as "Qualified Tax Exempt Obligations" pursuant to I.R.C. Section 265 so long as the Borough has not issued other such obligations beyond the limitations set forth in the Internal Revenue Code of 1986, as amended.

Section 7. All grant monies from any source received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby declares its official intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 10. In the event that any section or part of this ordinance shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such section or part shall, to the extent that it is not unconstitutional, invalid, or inoperative, remain in full force and effect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The intention is to finance \$7,500,000 through notes and bonds. This will allow the Borough to have funds available immediately to draw from as needed during rebuilding.

Council discussed aspects of the ordinance, with comments from Solicitor Vogdes. Councilman Woodend is not in favor of floating a bond for almost \$8,000,000.

VOTE TO APPROVE ORDINANCE 512 ON FIRST READING

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Ordinance 512 is approved on First Reading

RESOLUTIONS

Councilman Woodend introduced Resolution 101-05, seconded by Mayor Wasson.

RESOLUTION 101-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE CITY BUDGET FOR THE YEAR 2005, TO INCLUDE \$868.33 UNDER THE STATE BODY ARMOR REPLACEMENT FUND PROGRAM .

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Medford Lakes has received a check in the amount of \$868.33 from the 2004 State Body Armor Replacement Fund Program and wishes to amend its 2005 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2005. in the sum of \$868.33, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:
State Body Armor Replacement Fund; and

BE IT FURTHER RESOLVED that a like sum of \$868.33 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% "CAPS"
Public and Private Programs Off-Set by Revenues
State Body Armor Replacement Fund; and

BE IT FURTHER RESOLVED that the Clerk of the Borough of Medford Lakes forward two copies of this resolution to the Director of Local Government Services.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 101-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 101-05 is approved

Mayor Wasson introduced Resolution 102-05, seconded by Councilman Woodend.

RESOLUTION 102-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE CITY BUDGET FOR THE YEAR 2005, TO INCLUDE \$4,309.86 UNDER THE 2005 CLEAN COMMUNITIES GRANT.

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Borough of Medford Lakes has received a check in the amount of \$4,309.86 from the 2005 Clean Communities Grant and wishes to amend its 2005 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Medford Lakes, in the County of Burlington, State of New Jersey, hereby requests the Director of the Division of Local

Government Services to approve the insertion of an item of revenue in the budget for the year 2005 in the sum of \$4,309.86, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:
2005 Clean Communities Grant: and

BE IT FURTHER RESOLVED, that a like sum of \$4,309.86 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% "CAPS"
Public and Private Programs Off-Set by Revenues
2005 Clean Communities Grant;

BE IT FURTHER RESOLVED that the Clerk of the Borough of Medford Lakes forward two copies of this resolution to the Director of Local Government Services.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 102-05

Ayes: Wasson, Woodend

Nays: None

Absent: None

Resolution 102-05 is approved

Councilman Woodend introduced Resolution 103-05, seconded by Mayor Wasson.

RESOLUTION 103-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE CITY BUDGET FOR THE YEAR 2005, TO INCLUDE \$4,000.00 UNDER THE 2005 CLICK-IT OR TICKET GRANT.

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Medford Lakes has received notice of an award in the amount of \$4,000.00 from the 2005 Click it or Ticket It Grant and wishes to amend its 2005 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2005, in the sum of \$4,000.00, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:
2005 Click It Or Ticket Grant; and

BE IT FURTHER RESOLVED that a like sum of \$4,000 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% "CAPS"
Public and Private Programs Off-Set by Revenues
2005 Click It or Ticket It Grant;

BE IT FURTHER RESOLVED that the Clerk of the Borough of Medford Lakes forward two copies of this resolution to the Director of Local Government Services.

Chief Martine announced the compliance rate has risen since the last Click-It or Ticket campaign.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 103-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 103-05 is approved

Councilman Woodend introduced Resolution 104-05, seconded by Mayor Wasson.

RESOLUTION 104-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE CITY BUDGET FOR THE YEAR 2005, TO INCLUDE \$1,925.61 UNDER THE DRUNK-DRIVING ENFORCEMENT FUND .

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Medford Lakes has received a check in the amount of \$1,925.61 from the Drunk-Driving Enforcement Fund and wishes to amend its 2005 Budget to include this amount as a revenue;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2005, in the sum of \$1,925.61, which is now available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

Drunk Driving enforcement Grant; and,

BE IT FURTHER RESOLVED that a like sum of \$1,925.61 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% "CAPS"

Public and Private Programs Off-Set by Revenues

Drunk Driving Enforcement Grant;

BE IT FURTHER RESOLVED that the Clerk of the Borough of Medford Lakes forward two copies of this resolution to the Director of Local Government Services.

Chief Martine stated these funds are forwarded to the Borough from the State as the result of drunk-driving arrests made in Medford Lakes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 104-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 104-05 is approved

Councilman Woodend introduced Resolution 105-05, seconded by Mayor Wasson.

RESOLUTION 105-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE CITY BUDGET FOR THE YEAR 2005, TO INCLUDE \$10,500 UNDER THE 2005 DRUG ENFORCEMENT DEMAND REDUCTION GRANT FUND (DEDR – MUNICIPAL ALLIANCE FOR ALCOHOLISM AND DRUG ABUSE.)

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such

item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Medford Lakes has received notice of an award in the amount of \$10,500 from the DEDR Grant Fund and wishes to amend its 2005 Budget to include this amount as a revenue; and

WHEREAS, the Borough has provided the necessary 25% cash match in the 2005 adopted budget as required by the grant award;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2005, in the sum of \$4,000.00, which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

2005 DEDR Grant Fund (Municipal Alliance for alcoholism and Drug Abuse);

and

BE IT FURTHER RESOLVED that a like sum of \$10,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from 5% "CAPS"

Public and Private Programs Off-Set by Revenues

2005 DEDR Grant Fund (Municipal Alliance for Alcoholism and Drug Abuse);

BE IT FURTHER RESOLVED that the Clerk of the Borough of Medford Lakes forward two copies of this resolution to the Director of Local Government Services.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 105-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 105-05 is approved

Mayor Wasson introduced Resolution 106, seconded by Councilman Woodend.

RESOLUTION 106-05

A RESOLUTION APPOINTING A CHIEF FINANCIAL OFFICER

WHEREAS, there exists a vacancy for the office of Chief Financial Officer; and

WHEREAS, the Borough desires to appoint Donna A. Condo, a Certified Municipal Finance Officer, as Chief Financial Officer; and

WHEREAS, Donna A. Condo is qualified to serve as Chief Financial Officer;

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

Donna A. Condo is hereby appointed as Chief Financial Officer for the Borough of Medford Lakes, beginning August 11, 2005, to August 11, 2009.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 106-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 106-05 is approved

Councilman Woodend introduced Resolution 107-05, seconded by Mayor Wasson.

RESOLUTION 107-05

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS

WHEREAS, on September 10, 2005, the residents of Apache Trail will hold a block party; and

WHEREAS, said residents would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

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

1. The Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e; and
2. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:
3. Apache Trail between Pawnee Trail and Bowker Road; and
4. The aforementioned street closing shall be between 5:00pm and midnight; and

5. Block party contact persons Anne Pauly, 145 Apache Trail, and/or Sherry Troxell, 142 Apache Trail, Medford Lakes, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades; and
6. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 107-05

Ayes: Wasson, Woodend

Nays: Nays

Absent: Casey

Resolution 107-05 is approved

Mayor Wasson introduced Resolution 108-05, seconded by Councilman Woodend.

RESOLUTION 108-05

A RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A: 11-12a

WHEREAS, the Borough of Medford Lakes, pursuant to N.J.S.A. 40A: 11-12a and N.J.A.C. 5:34-7.29 (c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Medford Lakes has the need on a timely basis to purchase goods or services utilizing State; and

WHEREAS, the Borough of Medford Lakes intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Medford Lakes, pursuant to N.J.A.C. 5:30-5.5 (b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED THAT the duration of the contracts between the Borough of Medford Lakes and the Referenced State Contract Vendor shall be from August 11, 2005 to December 31, 2005.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 108-05

Ayes: Wasson, Woodend
Nays: Nays
Absent: Casey
Resolution 108-05 is approved

Mayor Wasson introduced Resolution 109-05, seconded by Councilman Woodend.

RESOLUTION 109-05

A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH DEWBERRY-GOODKIND INC.

WHEREAS, the Borough of Medford Lakes received significant infrastructure damage as the result of flood waters from a flood that occurred on July 12, 2004; and

WHEREAS, the flood caused damage to both Upper Aetna, Lower Aetna and Quogue Dams; and

WHEREAS, the restoration of Upper Aetna, Lower Aetna and Quogue Dam sites require engineering services completed for future repair determination; and

WHEREAS, these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study and meet the statutory requirements of N.J.S.A. 40A: 11-2(6).

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 Dewberry-Goodkind Inc., 600 Parsippany Road, 3rd. Floor, Parsippany, NJ, 07054-3715, not to exceed \$200,000.00.

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

Manager Knight explained this resolution and also number 110-05. These funds cover all remaining work prior to the start of building.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 109-05

Ayes: Wasson, Woodend
Nays: None
Absent: Casey
Resolution 109-05 is approved

Mayor Wasson introduced Resolution 110-05, seconded by Councilman Woodend.

RESOLUTION 110-05

A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH RICHARD A. ALAIMO ASSOCIATES

WHEREAS, the Borough of Medford Lakes received significant infrastructure damage as the result of flood waters from a flood that occurred on July 12, 2004; and

WHEREAS, the flood caused damage to both Upper and Lower Aetna Dams; and

WHEREAS, the Upper Aetna and Lower Aetna Dams sites need engineering work for future repair determination; and

WHEREAS, these services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study and meet the statutory requirements of N.J.S.A. 40A: 11-2(6).

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 Richard A. Alaimo Associates, 200 High Street, Mt. Holly, NJ, 08060, for engineering services not to exceed \$ 120,000.

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

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 110-05

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Resolution 110-05 is approved

Solicitor Vogdes advised Council that these two resolutions and the bond ordinance are huge steps forward. Steps must be taken to avoid complications.

Paul Weiss discussed upkeep of the dams, which are not an issue at this time. However, when necessary, there needs to be a Memorandum of Understanding between the Borough and the Colony concerning:

- A. The issue of ownership and responsibility
- B. Who is going to do what
- C. What does it mean when public funds are expended on private property

OLD BUSINESS

Councilman Woodend discussed the pending agreement, between the Borough and Bob Meyer Properties, to allow the builder to hook into the Medford Lakes sewer system when building up to 110 homes. The Borough will receive \$2,530,000 for the use of the system, to be used as needed. It can be used to pay off the debt incurred for rebuilding the dams. The project is pending numerous permits and approvals.

Mayor Wasson thanked Councilman Woodend for a job well done in negotiating the agreement.

PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked if Council had already approved the hookup, which it has. Council agreed in principal to allow Bob Meyer Properties to connect homes to the Medford Lakes sewer system.

NEW BUSINESS

CABLE - Mayor Wasson discussed the Verizon trucks in the area, which are pulling the new fiber optic cables, which will promote competition with Comcast.

JERSEY BARRIERS - Manager Knight advised Council he is still waiting for a recommendation from the Borough's engineers concerning the barriers on Trading Post Trail. The engineers are seeking a recommendation from the County and the State concerning the trail and the barriers. Manager Knight has not made any purchases to replace the barriers currently in place; he considers it part of a broader plan for re-doing Trading Post Trail, to include parking issues.

Councilman Woodend wants the Jersey barriers replaced now, and not wait for the renovation of the trail to a one-way street. Parking problems can't be fixed until the trail is made a one-way street. Mr. Woodend wants the barriers replaced prior to the start of school.

CONTAMINATED SOIL – Manager Knight received a recommendation from Environmental Resolutions to remove the soil at the municipal building site. The company reached an agreement with the County to use the contaminated soil as cover at the County landfill. It can be disposed of there for \$3.00 a cubic yard. Mr. Knight is now waiting for final acceptance from Pinelands before proceeding. This is the only step remaining prior to pouring footings.

Some limited use is being made of DPW employees at the site. They must be paid overtime for any hours worked in excess of their normal 40-hour week.

Manager Knight and Ms. Condo are investigating hiring a part-time clerical employee with some insurance claim background for work in the office as the dam rebuilding begins. This would be helpful in dealing with the enormous amount of paperwork associated with the project.

Mr. Knight received letter from DEP, Division of Dam Safety, advising of a issue relative to the dam breach analysis and the hazard classification. Peter Black of Dewberry is aware of the issue and is in the process of rectifying the problem by re-formatting his company's information. The Borough will not have to pay to have the information re-formatted.

A check in the amount of \$50,000 has been received from the Borough's excess liability insurance carrier, which had agreed to advance the funds against the claim for the damage to the firehouse. Currently, repairs are underway at the firehouse and the funds are being used.

Manager Knight and Councilman Casey met with homeowners on the two Aetna Lakes, in an effort to keep them abreast of the progress of the dam repairs. Paul Weiss and Mr. Knight met with representatives of Dewberry, Alaimo and Princeton Hydro and received commitments to provide information in order to meet certain deadlines.

CORRESPONDENCE

There was no additional correspondence, other than that previously discussed.

REPORTS

MANAGER – Mr. Knight had nothing to add to previous discussions.

SOLICITOR – Mr. Vogdes advised Council he is working with the Borough’s insurance carrier with regard to the pending litigation. He has contacted previous employees to have them deposed at the offices of Brown and Connery, in an effort to provide the best defense.

Eight Aetna Lake properties had changes to their assessed valuation relative to the flood. The information for 2004 and 2005 was provided, as requested.

Mr. Vogdes is working on the inter-local agreement with Medford Township with regard to the Bob Meyer Properties.

Council asked Paul Weiss to investigate the easement on Osage Trail.

The Superior Officers contract has not been signed.

COUNCIL – Mr. Woodend asked Chief Martine to report on Canoe Carnival, which was quiet and very orderly.

COLONY – Paul Weiss advised Council they are evaluating proposals for engineering, permitting and bidding. The Colony’s goal is to dredge the lakebeds while work on the dams is being completed, in an effort to have the beds cleaned prior to the re-introduction of water into the lake.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, asked about revising the means of collecting debris along the trails. Mayor Wasson has had some discussions with DPW Superintendent McCorriston; however, no formal action has taken place. Mr. Aromando again stated there is no code enforcement in the Borough relative to debris. Mayor Wasson agreed with Mr. Aromando; the issue is a priority with him.

PAYMENT OF BILLS

Mayor Wasson made a motion, seconded by Councilman Woodend, to approve payment of the bills on the Bill List, with one addition.

Councilman Woodend noted a bill for \$450.00 for rental of the Jersey barriers being used on Trading Post Trail.

Mr. Woodend directed Manager Knight to notify the company to pick them up, as soon as replacements are in place.

VOTE TO PAY BILLS ON BILL LIST

Ayes: Wasson, Woodend

Nays: None

Absent: Casey

Payment of bills is approved

ADJOURNMENT

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

VOTE TO ADJOURN
Ayes: Wasson, Woodend
Nays: None
Absent: Casey
Meeting adjourned

Respectfully submitted,

Richard Knight, Borough Manager

