

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
DECEMBER 22, 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 Timothy Casey and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor James Vogdes, and Colony representative Paul Weiss.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

There were no minutes for approval at this time.

ORDINANCES

Councilman Woodend introduced Ordinance 513, seconded by Councilman Casey, on Second and Final Hearing

ORDINANCE NO. 513

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR POLICE OFFICERS COVERED BY THE MEDFORD LAKES POLICE OFFICERS ASSOCIATION FOR THE YEARS 2005, 2006, 2007, AND 2008 IN THE BOROUGH OF MEDFORD LAKES, BURLINGTON COUNTY, STATE OF NEW JERSEY

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

Section 1. The following annual salaries for the positions as noted are herein fixed on an annual basis. The Officers shall be paid on a bi-weekly basis in accordance with the current payroll cycle at the annual salary as indicated on the below salary grid:

<u>RANK</u>	<u>1/1/05</u>	<u>7/1/05</u>	<u>1/1/06</u>	<u>1/1/07</u>	<u>1/1/08</u>
Sergeant Year 1	\$ 60,838	\$ 62,055	\$ 64,537	\$ 67,118	\$ 69,803
Sergeant Year 2	\$ 62,462	\$ 63,711	\$ 66,259	\$ 68,909	\$ 71,665
Sergeant Year 3	\$ 64,233	\$ 65,518	\$ 68,139	\$ 70,865	\$ 73,700
Sergeant Year 4	\$ 66,006	\$ 67,326	\$ 70,019	\$ 72,820	\$ 75,733

Sergeant Year 5	\$ 67,779	\$ 69,135	\$ 71,900	\$ 74,776	\$ 77,767
Corporal	\$ 58,782	\$ 59,958	\$ 62,356	\$ 64,850	\$ 67,444
Patrolman 8 Year	\$ 57,264	\$ 58,409	\$ 60,745	\$ 63,175	\$ 65,702
Patrolman 7 Year	\$ 55,295	\$ 56,401	\$ 58,657	\$ 61,003	\$ 61,181
Patrolman 5 Year	\$ 51,458	\$ 52,487	\$ 54,586	\$ 56,769	\$ 59,040
Patrolman 4 Year	\$ 46,990	\$ 47,930	\$ 49,847	\$ 51,841	\$ 53,915
Patrolman 2 Year	\$ 41,976	\$ 42,816	\$ 44,529	\$ 46,310	\$ 48,162
Completed Academy and Field Training	\$ 34,863	\$ 35,560	\$ 36,982	\$ 38,461	\$ 39,999
Untrained	\$ 27,181	\$ 27,725	\$ 28,834	\$ 29,987	\$ 31,186

Section 2. 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 that permitted by applicable State and Federal Law.

Section 3. Shift Differential. Members of the Police Department who are regularly assigned to continuous operations shifts or twenty-four rotating shift-work, shall be paid a shift differential equal to two percent (2%) of the employee's base wages for the year. Shift differential shall be payable bi-weekly with pay, and shall be included in the officer's gross salary.

Section 4. Longevity. All full time officers shall be entitled to a longevity payment in which the second anniversary of continuous employment occurs, and each year thereafter. The longevity payment, upon entitlement, shall be calculated at the rate of \$100 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. Longevity shall be paid in the officer's bi-weekly gross salary.

Section 5. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect immediately upon its final adoption and publication according to law, but the rate of compensation shall become effective as of January 1, 2005, for the annual salary as noted in this column and increase according to the salary grid as provided herein.

VOTE TO APPROVE ORDINANCE 513 ON SECOND READING

Ayes: Wasson, Casey, Woodend

Nays: None

Ordinance 513 is approved on Second Reading

RESOLUTIONS

Councilman Casey introduced Resolution 155-05, seconded by Mayor Wasson.

RESOLUTION 155-05

A RESOLUTION AUTHORIZING THE REFUND OF A PLUMBING AND STREET OPENING PERMIT

WHEREAS, on certain occasions a maintenance bond is required between a contractor and the Borough of Medford Lakes; and

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

WHEREAS, on December 21, 2005, the Construction Official authorized the refund of all bonds that were no longer required to be kept;

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 homeowner receive a refund of their maintenance bond:

APPLICANT	AMOUNT OF REFUND	PERMIT #	PROJECT ADDRESS
Beathan Industries, Inc. PO Box 180 Medford, NJ 08055	\$1,500.00	05-004 Block #10002 Lot #1,3,5 & 7	Pocahantas Trail

VOTE TO APPROVE RESOLUTION 155-05
 Ayes: Wasson, Casey, Woodend
 Nays: None
 Resolution 155-05 is approved

Mayor Wasson introduced Resolution 156-05, seconded by Councilman Casey.

**RESOLUTION 156-05
 A RESOLUTION APPOINTING MEMBERS 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; and

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:

APPOINTEE	CLASS DESIGNATION	COMMENCEMENT OF TERM	EXPIRATION OF TERM
Paul Weiss	4	January 1, 2006	December 31, 2009
Deborah Klemas	4	January 1, 2006	December 31, 2009
Allen Barnes	4	January 1, 2006	December 31, 2009

PUBLIC COMMENT: Jim Cottingham, 202 Tabernacle Road, questioned the appointments relative to membership in the Medford Lakes Country Club.

VOTE TO APPROVE RESOLUTION 156-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 156-05 is approved

Mayor Wasson introduced Resolution 157-05, seconded by Councilman Casey.

RESOLUTION 157-05
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:

NAME	TITLE	CLASS	TERM	START/FINISH
David Crane	Member	C	4 years	1/1/06-12/31/09
Michael McQuaid	Member	A	3 years	1/1/06-12/31/08
William T. Smith	Member	B	3 years	1/1/06-12/31/08
Donald Ferry, Jr.	Alternate	2	3 years	1/1/06-12/31/08

VOTE TO APPROVE RESOLUTION 157-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 157-05 is approved

Mayor Wasson introduced Resolution 158-05, seconded by Councilman Casey

RESOLUTION 158-05
A RESOLUTION APPOINTING ENVIRONMENTAL COMMISSION MEMBERS

WHEREAS, there exists vacancies on the Environmental Commission; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the positions 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:

APPOINTEE	CLASS DESIGNATION	COMMENCEMENT OF TERM	EXPIRATION OF TERM
Lou Potter	Rep. to Planning Board	January 1, 2006	December 31, 2008
Chris Rakoczy	Alternate 2	January 1, 2006	December 31, 2008

VOTE TO APPROVE RESOLUTION 158-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 158-05 is approved

Councilman Casey introduced Resolution 159-05, seconded by Mayor Wasson.

RESOLUTION 159-05

A RESOLUTION APPROVING PERMANENT DEBT SERVICE FOR THE YEAR 2006

WHEREAS, NJSA40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2006, to March 31, 2006, inclusive, on sundry bonds issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, that the following appropriation be made to cover the period from January 1, 2006, to March 31, 2006;

DEBT SERVICE – Current Fund:

Interest on bonds – due 2/15/06 \$ 47,000.00

DEBT SERVICE – Waste Water:

Interest on Bonds – due 1/1/06 3,000.00

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Division of Local Government Services with a copy to the Chief Financial Officer.

VOTE TO APPROVE RESOLUTION 159-05

Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 159-05 is approved

Councilman Casey introduced Resolution 160-05, seconded by Councilman Woodend.

RESOLUTION 160-05

A RESOLUTION AUTHORIZING CERTAIN BUDGETARY TRANSFERS

WHEREAS, the Borough Council of the Borough of Medford Lakes did adopt a budget for the year 2005 in accordance with the Municipal Budget Law (N.J.S.A. 40A:4 et seq.); and

WHEREAS, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

WHEREAS, N.J.S.A. 40A:4-58 allows for the transfer of funds among line items of an adopted municipal budget during the last two months of the fiscal year;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, New Jersey, that the Chief Financial Officer of the Borough of Medford Lakes is hereby authorized to make the transfers as listed below among the various line items:

FROM	TO	AMOUNT
1. Social Security Taxes	Fire Officials	\$ 600.00
2. Social Security Taxes	Sanitation	\$5,000.00
3. Social Security Taxes	Solid Waste Disposal	\$5,000.00
4. Social Security Taxes	Vehicle Maintenance	\$2,000.00
5. Social Security Taxes	Medford Lakes EMS	<u>\$1,000.00</u>
	Total	\$13,600.00

VOTE TO APPROVE RESOLUTION 160-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 160-05 is approved

Councilman Casey introduced Resolution 161-05, seconded by Mayor Wasson.

RESOLUTION 161-05

A RESOLUTION AWARDED A CONTRACT FOR THE DEMOLITION OF CONCRETE FOOTINGS AND FOUNDATION

WHEREAS, the Borough of Medford Lakes solicited public bids for the demolition of concrete footings and foundation at the Oaks Hall Project Site, and

WHEREAS, the Borough Solicitor and Borough Manager have reviewed the bid documents and found no deficiencies in the Bid Package of the lowest qualified bidder and therefore recommend award of the bid;

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

1. the Borough of Medford Lakes and Giberson Plumbing & Excavating, Inc., 7 Park Drive, Shamong, NJ, 08088, enters a contract for the demolition of concrete footings and foundation as the result of public bidding, for \$8,500.00.

An additional expenditure may be needed; Solicitor Vogdes advised Council to award the contract and do a change order later.

VOTE TO APPROVE RESOLUTION 161-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 161-05 is approved

OLD BUSINESS

DAMS – Peter Black of Dewberry notified Manager Knight that the applications have been submitted to Pinelands and the DEP. Mr. Black expects to go out for bids with DEP approval by the end of January.

It is unknown if Quogue Dam was included on the applications sent to Pinelands and the DEP. For obvious reasons, the Aetna Lakes are a priority, but Quogue Dam has not been forgotten.

Paul Weiss, Colony representative, updated Council on the Colony’s progress. The Colony is exploring all options for the disposal of the fill dirt when the lakes are dredged.

PUBLIC COMMENT: Jim Cottingham, 202 Tabernacle Road, asked about Aetna Run, the stream that connects Upper Aetna Lake and the Mirror Lakes. It will be dredged as part of the project.

JERSEY BARRIERS – Manager Knight reported he contacted the vendor and offered the amount authorized by Council to purchase the barriers. The bid was rejected by the vendor and Manager Knight is still looking into other vendors.

OAKS HALL – Manager Knight advised project manager Jim Madden that no additional work is to be done at the site.

Mr. Knight met with Mr. Hansen and his son, owners of Heartbilt, the vendor for the log siding for Oaks Hall. They reviewed the drawings with Rick Ragan, the architect, and will provide shop drawings to him. Mr. Hansen has been very accommodating concerning the log order, and is not pressuring the Borough for a delivery date.

Council directed Manager Knight to discuss with the Medford Lakes Historic Commission the possibility of a special meeting during January to review the drawings.

Council discussed the trusses and how to hide the mechanicals. They also discussed elevation and handicapped access. A new well may have to be drilled to provide drinking water.

BOB MEYER PROPERTIES - Solicitor Vogdes sent a letter to Tim Prime, Medford Township’s solicitor, asking about the “refundability” of the \$44,000 check issued to the Borough for the proposed development behind Neeta School. Mr. Vogdes has not received an answer from Mr. Prime; Council hopes to have the question resolved prior to Mr. Vogdes departure as Borough solicitor.

NEW BUSINESS

COMPENSATION – Manager Knight advised Council he had received a request from Code Official Tom Heck for \$250 to compensate him for using his personal vehicle on Borough business during 2005. He would prefer a dedicated vehicle for his use; but, barring that, he wants compensation. Council discussed pros and cons and determined a lump sum payment would set a precedent for other employees. They agreed that Manager Knight should advise Mr. Heck to keep a log and he would be reimbursed for his gas.

CORRESPONDENCE

Manager Knight put confidential copies of applicant information into Council's packets. The information concerns preparations for replacing Solicitor Vogdes, when his term is over at the end of the year.

REPORTS

SOLICITOR – Mr. Vogdes reviewed the bids for removal of the footings at the Oaks Hall site. Giberson's bid met the specifications and was the lowest.

Solicitor Vogdes provided Council with an analysis of the Conrad contract, as he was asked to do at the last meeting, with regard to performance obligations and liabilities. It will be discussed in Executive Session.

Solicitor Vogdes forwarded a draft document to Parker McKay attorneys, concerning an inter-local agreement between the Medford Lakes and Medford Township regarding sewer use by Bob Meyer Properties.

A draft ordinance regarding the formalization of an agreement for Bob Meyer properties was forwarded to Tim Prime, Esq.

COUNCIL - Mr. Casey questioned Manager Knight about the tax collection rate, which CMFO Condo had previously stated was proceeding at a good rate. The rate is consistent with previous years.

Councilman Woodend suggested erecting small information signs at strategic sites in the Borough to remind residents of approaching tax due dates.

Public Works is preparing to begin the second round of leaf collection. Councilman Casey commended DPW for completing the first round of leaf collection prior to the Christmas holiday.

MANAGER – all homes in the Borough will be getting a reminder of the free rabies clinic to be held at the Medford Lakes Fire House on January 7, 2006.

Following a review of the applications for the solicitor position, Council will interview the leading candidates following the Council meetings in January of 2006. Solicitor Vogdes will continue to attend meetings in January until a new solicitor is hired. Mr. Vogdes suggested making the annual appointments in January of 2006, even though Council reorganizes July 1 of each year. Solicitor Vogdes and Council discussed "Pay to Play."

Council asked Manager Knight about the resolution of the four-day Christmas holiday problem. Employees were advised they would be required to use either a vacation day or sick day for the fourth day.

APPROVAL OF BILL LIST

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

VOTE TO PAY BILLS
Ayes: Wasson, Casey, Woodend
Nays: None
Bill List is approved for payment

ADJOURNMENT TO EXECUTIVE SESSION

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

**RESOLUTION 162 -05
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:
- 2.

**LEGAL ADVICE ON CONTRACT WITH CONSTRUCTION MANAGER
PENDING SOLICITOR CANDIDATES**

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
Ayes: Wasson, Casey, Woodend
Nays: None
Motion carries
Meeting adjourned to Executive Session

RETURN TO REGULAR MEETING

Mayor Wasson made a motion, seconded by Councilman Woodend, to return to the Regular Meeting. No official action will be taken at this time.

VOTE TO RETURN TO REGULAR MEETING

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

ADJOURNMENT

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

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager