

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
JULY 14, 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 has been 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 Deputy Clerk Mark McIntosh, Solicitor Jim Vogdes, Chief Municipal Finance Officer Donna Condo, and Colony representative Paul Weiss.

PUBLIC COMMENT

Rich Ringen, 29 Shawnee Trail, asked Council what progress had been made on hiring a consultant to manage the dam restoration; nothing has been finalized as of this meeting.

Joe Aromando, 285 Shingowack Trail, asked Council to take a more pro-active roll when dealing with residents who plant or put objects on the Borough's right of way. He complained about numerous items near the street, which obstruct motorists' line of sight and is against Borough ordinance. He asked Council to amend the ordinance to disallow anything within five feet or the roadway. When brought to his attention, Code Official Tom Heck requires the homeowner to provide a survey of the property; Mr. Aromando stated it is the Borough's responsibility to prove encroachment, not the homeowner's.

With regard to trash collection, Mr. Aromando complained that brush and leaves are not being collected effectively by the Department of Public Works. He asked Council to find a solution to the problems and require DPW workers to prepare and adhere to a schedule.

APPROVAL OF MINUTES

Mayor Wasson made a motion, seconded by Councilman Casey, to approve the minutes of the June 23, 2005, Regular Council Meeting, with changes.

VOTE TO APPROVE MINUTES
Ayes: Wasson, Casey, Woodend
Nays: None
Minutes are approved

ORDINANCES

Councilman Casey introduced Ordinance 509, seconded by Mayor Wasson, on Second and Final Reading.

ORDINANCE 509

AN ORDINANCE TO AMEND THE OFFICIAL TAX MAP AND THE ZONING MAP TO INCLUDE A PROPERTY FORMERLY KNOWN AS BLOCK 4703, LOT 1, ON THE MEDFORD TOWNSHIP TAX MAP, TO BE KNOWN ON THE BOROUGH OF MEDFORD LAKES TAX MAP AS BLOCK 20028, LOT 14.

WHEREAS, the Borough of Medford Lakes annexed Lot 1, Block 4703, Medford Township tax map by Ordinance 492, date of adoption July 10/2003; and

WHEREAS, the Borough wishes to include said lot on its tax map, as well as to include same in its tax duplicate; and

WHEREAS, the Borough wishes to add said lot to its zoning map adopted as part of its Land Development Ordinance;

NOW, THEREFORE, be it ordained by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey that:

1. the official tax map of the Borough of Medford Lakes, is hereby amended to include the lot formerly known on the Medford Township Tax Map as Block 4703, Lot 1, which shall now be known as Block 20028, Lot 14, Medford Lakes Tax Map; and
2. the official zoning map of the Borough of Medford Lakes is hereby amended to add said Block and Lot, such that it is located in the Lakes Residential Zone; and
3. this Ordinance shall become effective upon passage and publication according to law.

PUBLIC COMMENT: Joe Aromando asked how much the Ordinance had cost the Borough to prepare and approve. He asked Council to require Mr. Woodend (the property owner) to repay all costs and to establish an escrow account for future expenses. Mayor Wasson and Councilman Casey disagreed with Mr. Aromando and cited the tax revenue to the Borough for future years, which considerably offsets the dollar amount expended.

Dick Thurber, 198 Chippewa Trail, agreed with Council and suggested Mr. Aromando was being foolish.

Jim Walker, 251 Chicagami Trail, asked about the property and if the annexation is routine. It is not routine in Medford Lakes, but does occasionally happen and is a tax benefit.

VOTE TO APPROVE ORDINANCE 509 ON SECOND AND FINAL READING

Ayes: Wasson, Casey

Nays: None

Abstain: Woodend

Ordinance 509 is approved

RESOLUTIONS

Councilman Casey introduced resolution 89-05, seconded by Mayor Wasson:

RESOLUTION 89-05

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF NEW SEWER SERVICES FOR (BLOCK: 5002 LOT: 2) BILLING YEAR 2002-2005. PLEASE REFER TO ATTACHED LETTER FOR A DETAILED BILLING

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for the current tax payer to be permitted a grace period for the payment of sewer services; and

WHEREAS, N.J.S.A. 40:14A-21 provides that the Governing Body may establish a grace period and fix the rate of interest to be charged;

NOW, THEREFORE, BE IT RESOLVED, By the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that no interest shall be charged on the above sewer services if paid within thirty (30) days of billing, but interest shall be paid from the date due on all sewer services on the above property which are paid more than thirty (30) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent sewer service shall be eighteen percent (18%) per annum for the year.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 89-05
Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 89-05 is approved

Mayor Wasson introduced resolution 90-05, seconded by Councilman Casey:

RESOLUTION 90-05
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 July 7, 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, and State of New Jersey, that the following homeowner receive a refund of their maintenance bond:

<u>APPLICANT</u>	<u>AMOUNT OF REFUND</u>	<u>PROJECT ADDRESS</u>
Richard Campbell 240 Briarwood Trail Medford Lakes, NJ 08055	\$750.00	240 Briarwood Trail

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 90-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 90-05 is approved

Councilman Casey introduced resolution 91-05, seconded by Mayor Wasson:

RESOLUTION 91-05

A RESOLUTION AUTHORIZING THE BOROUGH OF MEDFORD LAKES TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, *N.J.S.A.* 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Burlington County Board of Chosen Freeholders, hereinafter referred to as the “Lead Agency,” has offered voluntary participation in the Burlington County Cooperative Pricing System #4BuCCP for the purchase of goods and services; and

WHEREAS, on July 14, 2005, the governing body of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, duly considered participation in said Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the “Cooperative Pricing Resolution of the Borough of Medford Lakes”; and

AUTHORITY

Pursuant to the provisions of *N.J.S.A.* 40A:11-11(5), the Chief Executive Officer is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency; and

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with provision of the *Local Public Contracts Law* (*N.J.S.A.* 40A:11-1 *et seq.*) and all other provisions of the revised statutes of the State of New Jersey; and

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 91-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 91-05 is approved

Councilman Casey introduced resolution 92-05, seconded by Mayor Wasson:

**RESOLUTION 92-05
A RESOLUTION TO AMEND THE 2005 BUDGET**

WHEREAS, the local municipal budget for the year 2005 was approved on the 10th day of March, 2005, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

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 following amendments to the approved budget of 2005 be made:

<u>ANTICIPATED REVENUES</u>	<u>FROM</u>	<u>TO</u>
3. Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations:		
Extraordinary Aid	-0-	\$300,000.00
Total Section B: State Aid Without Offsetting Appropriations	\$454,594.00	754,594.00
Total Miscellaneous Revenues	794,872.31	1,094,872.31
5. Subtotal General Revenues (Items 1,2,3 and 4)	1,349,872.31	1,649,872.31
6. Amount to be Raised for Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	2,547,221.83	2,247,221.83
Total Amount to be Raised for Support of Municipal Budget	2,547,221.83	2,247,221.83
7. TOTAL GENERAL REVENUES	\$3,897,094.14	\$3,897,094.14

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2005 local municipal budget so amended.

The funds are the result of a \$300,000 State grant that allows the Borough to reduce the budget. The tax increase to residents had been valued at 22 cents, but will now be reduced to nine cents.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 92-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 92-05 is approved

Councilman Casey introduced resolution 93-05, seconded by Mayor Wasson:

RESOLUTION 93-05
A RESOLUTION ADOPTING THE 2005 MUNICIPAL BUDGET

WHEREAS, the Municipal Budget of the Borough of Medford Lakes, County of Burlington, and State of New Jersey for the year 2005 is hereby adopted;

NOW, THEREFORE, BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2005; and

BE IT FURTHER RESOLVED, that said Budget was published in the Burlington County Times in the issue of March 4, 2005; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Medford lakes, County of Burlington, State of New Jersey:

1. does hereby approve the following as the Budget for the Year 2005; and
2. notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Medford Lakes , County of Burlington, on March 10, 2005; and
3. a hearing on the Budget and Tax Resolution was held at Vaughan Hall, in Demby Annex on March 24, 2005, at 7:30PM, at which time and place objections to said Budget and Tax Resolution for the year 2005, may be presented by taxpayers or other interested persons.

PUBLIC COMMENT: Jim Walker asked if this resolution reflected the \$300,000; it does.

VOTE TO APPROVE RESOLUTION 93-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 93-05 is approved

OLD BUSINESS

DAM RESTORATION – copies of the repair schedule are currently available to the public. It represents the “best-case scenario,” should both the regulation process and the funding process proceed smoothly. The soil borings are almost complete and the survey almost finished.

Colony representative Paul Weiss advised Council that Princeton Hydro has been hired to dredge the lakebeds. The Colony Board is waiting for the engineer’s report and will then proceed with an open membership meeting.

PUBLIC COMMENT: Jim Walker asked Council if the time-line is sufficiently specific to allow residents to question certain aspects of the process and offer suggestions. Council advised Mr. Walker that the Borough has hired qualified people to complete the restoration; they are doing an exceptional job and should not be micro-managed by either Council or the task force.

Lou Potter, 64 Mohave Trail, stated he is very tired of the constant negativity from the task force during the process. He wants the restoration to progress without their continued interference.

Jim Walker countered by advising Mr. Potter that the task force is not complaining, but is attempting to help in any way to speed the process along.

Carl Pellegrino, 242 Chippewa Trail, sent an e-mail to Council with a recommendation for a project manager who has expertise in roller compacted concrete. Council is in the process of selecting a project manager and is looking for a qualified individual to oversee the entire project, not just the roller compacted concrete part of it.

Joe Aromando asked if Council had made a decision between the roller compacted concrete and earthen material for the dams; both dams will be roller compacted concrete.

OAKS HALL – Chris Noll, Manager Knight, and Project Manager Madden are working together and with the Pinelands to secure approval for the project.

PARKING AT WHELIHAN'S – Council agreed the parking problems in the municipal lot were abating, but numerous drivers going to Whelihan's continue to park there.

Council suggested that the police department note vehicles parked in the municipal lot during the day, to help determine if they belong to Whelihan's patrons, local business patrons, or bus patrons.

Council agreed on the need to find a solution for parking and bicyclists on Trading Post Trail.

Council directed Deputy Clerk McIntosh to include the problem on future agendas for discussion.

PUBLIC COMMENT: Joe Aromando advised Council about a previous agreement between Whelihan's and the Borough concerning parking; however, nothing in the agreement spells out the restrictions. Mr. Aromando thinks the spaces should be marked as "municipal parking only."

REPORTS

MANAGER - landscaping at the new pumping station is scheduled to be completed within the next two weeks.

SOLICITOR – the contract between the Borough and Oaks Hall project manager Jim Madden is 98% ready.

COUNCIL – Finance Officer Donna Condo discussed money owed by the Medford Lakes Country Club to the Borough's engineers for work on the proposed effluent system. She suggested allowing the Medford Lakes Planning Board to deal with the issue.

Council directed Ms. Condo to confer with Solicitor Vogdes concerning placing a lean on the Country Club's property.

Fire Chief Mark McIntosh discussed the 2005 "SAFER" grant, for which his department has applied. A new mandatory regulation prohibits a firefighter from entering a burning structure without 15 to 17 other firefighters on site. The grant allows for Federal funding for use in hiring paid firefighters for a specific period of time, which could allow the Borough to comply with the new mandatory regulation.

PUBLIC COMMENT: Joe Aromando asked about regionalization; New Jersey is a "Home Rule" based state. Most municipalities oppose regionalization.

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Wasson, Casey, Woodend

Nays: None

Motion is approved for payment of bills

ADJOURN TO EXECUTIVE SESSION

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

RESOLUTION 94-05

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 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. the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session as follows:

SEWER CONTRACT NEGOTIATIONS; and

2. the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at time when the Borough Solicitor advises 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; and
3. the Borough Council for the aforementioned reasons hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

VOTE TO ADJOURN TO EXECUTIVE SESSION

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned to Executive Session

RETURN TO REGULAR MEETING

Councilman Woodend made a motion, seconded by Councilman Casey, to return to the Regular Meeting. Official action may be taken at this time and, if so, will be recorded at a later date.

VOTE TO RETURN TO REGULAR MEETING

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

ADJOURNMENT

Councilman Woodend 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

