

# **BOROUGH OF MEDFORD LAKES**

## **AUGUST 9, 2006**

### **SPECIAL WORKSHOP**

A workshop 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 6:37pm. Mayor Casey presided. The agenda for the meeting was to continue review of the proposed employee handbook.

In attendance were Mayor Tim Casey, Councilman Paul Weiss, Councilman Gary Woodend, Manager Rich Knight, Solicitor Peter Lange, and employee representative Dianne Forster.

Before the handbook is approved and implemented by Council, information such as employee rights and obligations, workplace policies, paid and unpaid time off policies, employee benefits policies, managerial and supervisory procedures, and forms is being examined by those present.

Those in attendance at this meeting reviewed pages 38 through the middle of page 42 of the handbook provided by the MEL, offering suggestions or corrections and considering ways to integrate the different handbooks.

The committee will meet again before the Regular Council Meeting on August 24, 2006, at 6:30pm.

### **REGULAR COUNCIL MEETING**

The Regular Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, began as usual in the Denby Annex of the Medford Lakes Colony beginning at 7:30pm. Mayor Casey presided and 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 Tim Casey, Councilman Paul Weiss, and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, and Solicitor Peter Lange.

### **PUBLIC COMMENT**

*Kevin Ellicott, 18 Hiawatha Trail, is concerned with the EMS response grids currently being used in Medford Lakes. EMS personnel are volunteers and are not consistently available for calls, especially during the day. An emergency call for service is first sent to Medford Lakes EMS, and then to Shamong, which is also a volunteer company. Mr. Ellicott would like the grid revamped to have second calls go to Medford Township, which has paid staff. Council agreed they are interested in investigating the issue, especially now that Medford has hired a Director of Public Safety.*

### **PLANNERS REPORT**

Medford Lakes Planner Joe Augustyn was scheduled to appear at this meeting to discuss the Stokes Road/Trading Post Way intersection. However, he was unable to attend.

Council directed Manager Knight to ask Mr. Augustyn to attend the Regular Council Meeting on August 24, 2006.

Council also directed Mr. Knight to obtain Mr. Augustyn's written plans and proposal in advance of the meeting, for their perusal.

### **APPROVAL OF MINUTES**

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes for the Workshop and Regular Council meeting of July 27, 2006.

#### VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved for July 27, 2006

Mayor Casey made a motion, seconded by Councilman Weiss, to approve the minutes for the Special Budget Meeting of August 2, 2006.

#### VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved for August 2, 2006

### **ORDINANCES**

Mayor Casey introduced Ordinance 523 on First Reading, seconded by Councilman Weiss.

The ordinance allows Council to spend money raised in the 2005 budget. The ordinance calls for spending \$375,000 from the 2005 Reserve.

Councilman Woodend asked that the ordinance also include \$375,000 from the 2006 budget, to save time and eliminate the need to do an additional ordinance.

The ordinance will have to be re-worded and the title will have to be changed.

Council directed Manager Knight to ask CFO Condo if the changes can be made to the ordinance.

Second reading will be August 24, 2006.

Councilman Casey moved Ordinance 523 as amended, seconded by Councilman Weiss as amended.

#### **ORDINANCE 523**

**AN ORDINANCE AUTHORIZING THE APPROPRIATION IN THE AMOUNT OF \$750,000 FROM THE RESERVE FOR FLOOD RECOVERY COSTS FOR THE RECONSTRUCTION OF LOWER AETENA, UPPER AETNA AND QUOGUE DAM 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 Seven Hundred Fifty Thousand dollars and 00/100 (\$750,000), which is now available in the Reserve for Flood Recovery (from the 2005 & 2006 Budget) in the Borough of Medford Lakes.

**SECTION 2.** (a) The improvement is hereby authorized is for the reconstruction of Lower Aetna, Upper Aetna, and the repairs of Quogue Dam; and

(b) Seven Hundred Fifty Thousand dollars (\$750,000) is hereby appropriated for the project as listed in Section 2 (a) above.

**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; and

(b) the period of usefulness of said purpose, within the limitations of said Local Bond Law, and according to the reasonable life thereof, is thirty (30) years for Section 2 above.

**SECTION 4.** The 2006 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.

*PUBLIC COMMENT: None*

VOTE TO APPROVE ORDINANCE 523 ON FIRST READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 523 is approved on First Reading

### **RESOLUTIONS**

Mayor Casey made a motion, seconded by Councilman Woodend, to remove Resolution 97-06 from the table.

VOTE TO REMOVE RESOLUTION 97-06 FROM TABLE

Ayes: Casey, Weiss, Woodend

Nays: None

Motion carries

Mayor Casey introduced Resolution 97-06, seconded by Councilman Woodend.

### **RESOLUTION 97-06**

#### **A RESOLUTION AWARDED A BID FOR FOUNDATION SYSTEM FOR PRE-MANUFACTURED LOG STRUCTURE FOR THE BOROUGH OF MEDFORD LAKES MUNICIPAL BUILDING**

**WHEREAS**, the Borough of Medford Lakes, pursuant to the public contract law, received bids for a foundation system for pre-manufactured structure for the Borough of Medford Lakes Municipal Building on June 29, 2006; and

**WHEREAS**, John D. Lawrence, Inc., of 901 Almonesson Road, Westville, NJ, 08093, was the lowest bidder received by the Borough, with a bid in the amount of \$249,600.00; and

**WHEREAS**, the bid of John D. Lawrence, Inc., complied with the bid specifications as prepared by the Borough; and

**WHEREAS**, the CFO certifies that funds are available for this purpose;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Medford Lakes this 13<sup>th</sup> day of July 2006, that John D. Lawrence, Inc., be and hereby is awarded the bid for a foundation system for pre-manufactured structure for the Borough of Medford Lakes Municipal Building; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract as proposed and included in the Borough's bid package and any other related document with John D. Lawrence, Inc., in order to complete said contract.

Council discussed "multi-prime" versus general contractor. The general contractor method could add between 15-20% to the total cost of the project. The "multi-prime" method could come in at \$200,000 under the cost of a general contractor.

Mr. Ragan advised awarding the contract to John D. Lawrence, Inc. Mr. Ragan offered to act as the Project Manager until the building shell has been erected, at an estimated fee of \$5,000.

Council discussed awarding the contract as "multi-prime" to John D. Lawrence. He would be responsible for the formed footings, foundation wall, slab, and utility rough-ins.

Councilman Woodend made a motion, seconded by Mayor Casey, to approve Resolution 97-06, authorizing a contract with John D. Lawrence, Inc.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 97-06

Ayes: Casey, Woodend

Nays: Weiss

Resolution 97-06 is approved

Councilman Woodend made a motion, seconded for discussion by Mayor Casey, to award a contract to Ragan Design to supervise work of John D. Lawrence on the foundation, footings, slab, and utility rough-ins, at a cost not to exceed \$5,000.

*PUBLIC COMMENT: None*

VOTE ON MOTION

Ayes: Woodend

Nays: Casey, Weiss

Motion fails to pass

Council directed Manager Knight to obtain a detailed bid proposal from Ragan Design for oversight of the first phase of construction.

Mayor Casey introduced Resolution 114-06, seconded by Councilman Woodend.

**RESOLUTION 114-04**

**A RESOLUTION TO SWITCH CLASS DESIGNATION OF TWO CURRENT MEMBERS OF THE PLANNING BOARD**

**WHEREAS**, there is a need to switch the class designation of two current members of the Planning Board, and

**WHEREAS**, the parties named agree to the exchange in Class Designation;

**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 adjustments be made to the Planning Board:

<u>APPOINTEE</u>	<u>CLASS DESIGNATION</u>	<u>COMMENCEMENT OF TERM</u>	<u>EXPIRATION TERM</u>
Paul Weiss	1 (Mayor's Designee)	July 1, 2006	June 30, 2008
David Wasson	4	July 1, 2006	December 31, 2009

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 114-06**

Ayes: Casey, Woodend

Nays: None

Abstain: Weiss

Resolution 114-06 is approved

Mayor Casey introduced Resolution 115-06, seconded by Councilman Woodend.

**RESOLUTION 115-06**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE GRANT, IN THE AMOUNT OF \$10,500.**

**WHEREAS**, N.J.S.A 26:2BB-1 the New Jersey Governor's Council on Alcoholism and Drug Abuse has awarded a DEDR (Drug Enforcement Demand Reduction) grant to the Borough of Medford Lakes in the amount of \$10,500.00; and

**WHEREAS**, the Borough of Medford Lakes would like to participate in this grant program and adhere to the conditions under which the grant shall be administered; and

**WHEREAS**, the funding period is from January 1, 2006 through December 31, 2006 and a 25% cash match and 75% in-kind match are required;

**NOW, THEREFORE, BE IT RESOLVED**, the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey hereby authorizes the Mayor and Clerk to execute the attached agreement between the Burlington County Board of Chosen Freeholders and the Borough of Medford Lakes.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 115-06**

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 115-06 is approved

Councilman Weiss introduced Resolution 116-06, seconded by Mayor Casey.

**RESOLUTION 116-06**

**A RESOLUTION AUTHORIZING THE REMOVAL, TRANSPORTATION, AND FINAL DISPOSAL OF LIQUID SWEREGE SLUDGE CONTRACT W/W 2-2006**

**WHEREAS**, the Borough of Medford Lakes, pursuant to the public contract law, received a bid for the removal, transportation and final disposal of liquid sewerage sludge on July 31, 2006; and

**WHEREAS**, Freehold Cartage, Inc. of 825 Highway 33, Freehold, NJ 07728 was the low bidder received by the Borough; and

**WHEREAS**, Freehold Cartage, Inc. submitted a qualified bid which complied with the bid specifications as prepared by the Borough; and

**WHEREAS**, funds are available for this purpose;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Medford Lakes this 9<sup>th</sup> day of August, 2006, that Freehold Cartage, Inc., be and hereby is awarded the contract for the removal, transportation and final disposal of liquid sewerage sludge as detailed in the instructions and specifications for Contract No.: W/W 2-2006 dated July 31, 2006 for a 24-month period at .068 cents per gallon; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract as proposed and included in the Borough's bid package and any other related document with Freehold Cartage, Inc., in order to complete said Contract.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 116-06**

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 116-06 is approved

Councilman Woodend introduced resolution 117-06, seconded by Councilman Weiss.

**RESOLUTION 117-06**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE FOR A LEGALIZED GAME OF CHANCE (CASINO NIGHT) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.**

**WHEREAS**, the Medford Lakes Education Foundation Inc. has qualified in the prescribed manner and submitted an application to hold a Casino Night on September 30, 2006; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the Casino Night is to be conducted according to law;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned Casino Night be and is hereby granted to the Medford Lakes Education Foundation Inc.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 117-06**

Ayes: Weiss, Woodend

Nays: None

Abstain: Casey

Resolution 117-06 is approved

Councilman Woodend introduced resolution 118-06, seconded by Councilman Weiss.

**RESOLUTION 118-06**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE FOR A LEGALIZED GAME OF CHANCE (ON-PREMISE 50/50) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.**

**WHEREAS**, the Medford Lakes Education Foundation Inc. has qualified in the prescribed manner and submitted an application to hold a On Premise 50/50 on September 30, 2006; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the On Premise 50/50 is to be conducted according to law;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned On Premise 50/50 be and is hereby granted to the Medford Lakes Education Foundation Inc.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 118-06**

Ayes: Weiss, Woodend

Nays: None

Abstain: Casey

Resolution 118-06 is approved

Manager Knight asked Council to consider establishing a "Social Affairs Permit" for organizations that are hosting an event and would like to serve alcohol. Council discussed the legalities and advisability of such a permit.

Council directed Solicitor Lange to obtain sample statutes from other towns for consideration.

Councilman Woodend introduced resolution 119-06, seconded by Mayor Casey.

**RESOLUTION 119-06**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE MEDFORD LAKES POLICE OFFICERS' ASSOCIATION**

**WHEREAS**, the Borough of Medford Lakes wishes to enter into a Collective Bargaining Agreement for the years 2005, 2006, 2007, and 2008, with the Medford Lakes Police Officers' Association, for services to be rendered within its own jurisdiction; and

**WHEREAS**, the parties deem it appropriate to enter into a Collective Bargaining Agreement for the years 2005, 2006, 2007, and 2008, to provide such services as outlined in said Agreement, a copy of which is on file with the Borough Clerk;

**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 Mayor and Clerk are hereby authorized to execute a contract between the Borough of Medford Lakes and the Medford Lakes Police Officers' Association, for the years 2005, 2006, 2007 and 2008.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 119-06**

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 119-06 is approved

**OLD BUSINESS**

**DAMS** – a preconstruction meeting was held this date. Approximately 20 persons were present.

The window for starting the dams before winter is small and getting smaller. The concrete cannot be poured during temperatures of 40 degrees or lower.

Those in attendance discussed locating the pug mill at L&L Redi-mix Concrete on Route 206 in Tabernacle. This would eliminate the need to erect the pug mill at Brooks Field.

The next committee meeting is scheduled for September 11, 2006.

Councilman Weiss advised the dredging will be completed by the time the work begins on the dams. As of this date, work is slightly ahead of schedule and slightly under budget.

Dead trees in Jackson Park are currently being removed, with chipping being done on site.

Council directed Manager Knight to determine who owns the pond behind Flanagans LUKOIL gas station at the corner of Stokes and Tabernacle Roads.

**SIGN ORDINANCE** – Councilman Woodend will notify real estate companies that the Borough has suspended sign ordinance enforcement with regard to For Sale signs.

**EASI PROPERTY** – PSE&G is in the process of removing poles and wires from the immediate area surrounding the structure.

### **NEW BUSINESS**

With the exception of items already discussed, there was no other new business for consideration.

### **CORRESPONDENCE**

All correspondence for Council was included in their packets.

### **REPORTS**

**MANAGER** – Mr. Knight reported the tax bills were mailed out today; the due date for taxes is 25 days from Friday, August 11, 2006.

Mr. Knight announced that resident Dave Crane has been named as Code Enforcement Officer. He will be looking into trash routes and bulk trash pickup. Council discussed options for bulk trash pick-up. Suggestions were considered to collect on Monday, instead of Friday, and to collect by district.

Council directed Solicitor Lange to e-mail them ordinances for bulk trash pick-up from other towns.

Council directed Manager Knight to include discussion of the trash ordinance on the agenda for the Regular Meeting on September 14, 2006.

Paul Adison, of the architectural firm of Holberg Adison, will attend the Regular Council meeting on October 1, 2006, to discuss his firm's plans for the Public Works building.

Council directed Manager Knight to meet with representatives of the Medford Lakes Country Club to discuss the proposed water reclamation project.

Mr. Knight is negotiating with teamsters #676 and members of wastewater on issues of the proposed contract.

**COUNCIL** – Councilman Woodend asked that Police Chief Martine submit a written report concerning the relatively small amount of problems from a police point of view at the Canoe Carnival. Police presence at the event is costly for the Colony; Councilman Woodend questioned whether or not the Carnival was more sedate due to its location at the smaller lake with limited access and parking.

Councilman Weiss noted the fire department's new command vehicle is outfitted and in service.

**SOLICITOR** – Mr. Lange forwarded a report to Manager Knight concerning tax exemptions for disabled veterans.

### **PAYMENT OF BILLS**

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

#### **VOTE TO APPROVE PAYMENT OF BILLS**

Ayes: Casey, Weiss, Woodend

Nays: None

Payment of bills is approved

**ADJOURNMENT TO EXECUTIVE SESSION**

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

**RESOLUTION 120-06  
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. 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:

**POTENTIAL LITIGATION WITH JIM MADDEN AND CONRAD INDUSTRIES**

2. 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. 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: Casey, Weiss, Woodend

Nays: None

Resolution 120-06 is approved

Meeting adjourned to Executive Session at 9:30pm

**RETURN TO REGULAR COUNCIL MEETING**

Mayor Casey made a motion, seconded by Councilman Weiss, to return to the Regular Council Meeting. No official action will be taken.

VOTE TO RETURN TO REGULAR COUNCIL MEETING

Ayes: Casey, Weiss, Woodend

Nays: None

Motion carries

**ADJOURNMENT**

Mayor Casey made a motion, seconded by Councilman Weiss, to adjourn the Regular Council Meeting.

VOTE TO ADJOURN

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight  
Borough Manager