

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
APRIL 13, 2006**

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 Peter Lange, Colony Representative Paul Weiss, Auditor Bob Stewart, and Finance Officer Donna Condo.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Wasson made a motion, seconded by Councilman Casey, to approve the minutes of the March 23, 2006, Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved for March 23, 2006

SPECIAL PRESENTATION

A Resolution of Appreciation was presented to Eric Olandt, in recognition of his many years of service to the Borough.

RESOLUTION 56-06

A RESOLUTION RECOGNIZING THE NUMEROUS CONTRIBUTIONS OF ERIC D. OLANDT TO THE BOROUGH OF MEDFORD LAKES

WHEREAS, Eric D. Olandt has served the Borough of Medford Lakes as a member of Council, the Co-Chairman of the Bicentennial Committee and as a member of the Historic Preservation Committee; and

WHEREAS, Eric donated his leadership skills to add to the operation of these prominent community organizations; and

WHEREAS, Eric brought to bear his affection for the Medford Lakes Community to guide in his decisions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes hereby recognizes Eric D. Olandt for his leadership and devotion to the community.

Mayor and Council presented Eric Olandt with a framed resolution honoring him for his years of service to the Borough and offering best wishes to Mrs. Olandt and him on their retirement. They will be moving from the Borough.

VOTE TO APPROVE RESOLUTION 56-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 56-06 is approved

MAYORAL APPOINTMENT

Mayor Wasson introduced Resolution 58-06, seconded by Councilman Casey.

RESOLUTION 58-06

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, there exists a need within the Borough of Medford Lakes to appoint an Emergency Management Coordinator; and

WHEREAS, the appointee must at the time of appointment or within one year immediately following appointment complete the current approved Home Study Course and the Basic Emergency Management workshop, and

WHEREAS, the municipal emergency management coordinator shall be responsible for the planning, activating, coordinating and the conduct of emergency management operations within the Borough; and

WHEREAS, it is the desire of the Mayor and Council to appoint a qualified individual to serve in the capacity of Emergency Management Coordinator; and

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. Christopher J. Schultz, be and is hereby appointed as Emergency Management Coordinator for the Borough of Medford Lakes, New Jersey.

2. the term for the aforementioned appointment shall be for three (3) years and shall expire on April 13, 2009.

Mayor Wasson appointed Borough resident Chris Schultz to the position, following the resignation of Dave Mayo. Mr. Schultz has the training required for the position. The term is for three years and will expire April 13, 2009.

VOTE TO APPROVE RESOLUTION 58-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 58-06 is approved

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Wasson made a motion, seconded by Councilman Casey, to approve the minutes of the Regular Meeting of March 23, 2006.

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

ORDINANCES

There were no ordinances for discussion.

RESOLUTIONS

Councilman Casey introduced resolution 51-06, seconded by Councilman Casey.

RESOLUTION 51-06

A RESOLUTION AUTHORIZING THE READING OF THE 2006 MUNICIPAL BUDGET IN TITLE ONLY

WHEREAS, the budget must be read in full, unless at least one week prior to the date of hearing, a complete copy of the approved budget shall be made available for public inspection; and

WHEREAS, the budget must be available for public inspection in the regional library of the County; and

WHEREAS, a resolution must be passed by a majority of the full membership stating that the law has been met and allowing that the budget be read by title;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that all of the requirements by law have been met to read the 2006 Municipal Budget by title only.

The 2006 budget calls for a 16.8 cent increase over 2005, which translates into an increase of \$433,000. Of the 16.8-cent increase, 16.0 cents is for flood recovery.

Manager Knight commended Finance Officer Donna Condo, Auditor Bob Stewart, and Borough employees for a job well done. Employees have reduced spending while working in less than desirable conditions.

Ms. Condo has applied for an "Extraordinary Aid" grant in the amount of \$300,000. The Borough must continue to operate under the temporary budget until a decision is made on the grant application.

Mr. Stewart advised he is the auditor for 11 municipalities, all of which have a cap problem. Medford Lakes is the only municipality to have a cap bank. The present bank is \$67,000, which is a plus in managing the budget.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 51-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 51-06 is approved

Mayor Wasson introduced Resolution 52-06, seconded by Councilman Casey.

RESOLUTION 52-06

A RESOLUTION AUTHORIZING A TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey hereby endorses the submission of the 2005 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Richard J. Knight, Borough Manager, Cabin Circle Drive, Medford Lakes, NJ, to ensure that the said application is properly filed.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 52-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 52-06 is approved

Councilman Casey introduced Resolution 53-06, seconded by Councilman Casey.

RESOLUTION 53-06

A RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY SHARED SERVICES FORUM

WHEREAS, the 40 municipalities within Burlington County are interested in providing cost effective and efficient delivery of governmental services to their citizens; and

WHEREAS, it is believed that jointly shared services provided by various municipalities and school districts will be cost effective and efficient; and

WHEREAS, there is a need to facilitate shared services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Medford Lakes that the Borough does actively support discussing and researching possible new and enhanced Shared Services between one or more municipalities, Burlington County and/or local school districts; and

BE IT FURTHER RESOLVED, that the following two representatives of the Borough of Medford Lakes, Richard J. Knight and Donna A. Condo are hereby authorized and encouraged to participate in all meetings of the Burlington County Shared Services Forum and/or its subcommittees for the purpose of reaching a consensus on the best opportunities for Shared Services among these governmental agencies; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Burlington County of Chosen Freeholders.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 53-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 53-06 is approved

Councilman Woodend introduced resolution 54-06, seconded by Mayor Wasson.

RESOLUTION 54-06

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS

WHEREAS, on April 29, 2006, the residents of Manhasset 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:

Manhasset Trail between Hahiah and Hiawatha Trails

3. The aforementioned street closing shall be between 2:00pm and 10:00pm; and
4. Block party contact persons Brian Meakim, 41 Manhasset Trail, Medford Lakes, and Rose Price, 41 Manhasset Trail, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades; and
5. 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 54-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 54-06 is approved

Councilman Casey introduced Resolution 55-06, seconded by Councilman Woodend.

RESOLUTION 55-06

A RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN ANTICIPATION OF THE ADOPTION OF THE 2006 MUNICIPAL BUDGET, IN ACCORDANCE WITH N.J.S.A.40a:4-20

WHEREAS, the Borough Council of the Borough of Medford Lakes introduced the 2006 Municipal Budget on March 9, 2006; and

WHEREAS, the Public Hearing is being held on April 13, 2006, in accordance with proper notice; and

WHEREAS, the Borough of Medford Lakes has applied for Extraordinary Municipal Aid and must wait for an award announcement prior to adopting the 2006 budget: and

WHEREAS, the Chief Financial Officer has recommended approving an emergency temporary appropriation to meet the expenses of the municipality until the 2006 Budget can be adopted; and

WHEREAS, NJSA 40A:4-20 authorizes a municipality to make emergency temporary appropriations for any purposes for which appropriations may lawfully be made from the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year; and

WHEREAS, it is the desire of the Governing Body to adopt such emergency temporary budget up to 75% of the introduced municipal budget;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, that pursuant to NJSA 40A: 4-20, an emergency temporary budget is hereby approved in the amount of 75% of the 2006 Introduced Municipal Budget; and

BE IT FURTHER RESOLVED, that upon adoption of this resolution, a certified copy be transmitted to the Director of the Division of Local Government Services.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 55-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 55-06 is approved

Councilman Woodend introduced Resolution 57-06, seconded by Mayor Wasson.

RESOLUTION 57-06

A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO APPLY FOR THE 2006 “FEDERAL DEPARTMENT OF HOMELAND SECURITY FIREFIGHTERS” GRANT

WHEREAS, the Borough of Medford Lakes Fire Department has the opportunity to apply for the 2006 Federal Department of Homeland Security Assistance for Firefighters Grant; and

WHEREAS, Council supports the application for the grant and acknowledges that the Borough would be responsible for a 5% cash match.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, of the County of Burlington, in the State of New Jersey hereby authorizes the Medford Lakes Fire Department to apply for the Assistance for Firefighters Grant.

Fire Chief McIntosh advised Council the department has received grant funds for the two previous years. In 2005, the award was \$90,000, which was used for new SCBA gear.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 57-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 57-06 is approved

OLD BUSINESS

DAM RECOVERY – Manager Knight met with Colony representatives and other interested parties for a pre-construction meeting on April 11, 2006. Bids are being prepared and are due back on May 24, 2006. The hope is to award contracts by mid-June. A ten-month construction time is estimated for the two dams.

Solicitor Lange outlined the ownership issues of Atena Way and the Lower Aetna Dam. The Colony is providing a Quit Claim Deed to the Borough for the area, with restrictions and regulations to protect Colony interests. Council expressed concern about the section dealing with cost recovery for repairs to the dam. In the draft document, if the Borough does not or can not finance and complete repairs, the Colony will make the repairs and bill the Borough. A lengthy discussion ensued concerning required repairs versus cosmetic repairs.

Manager Knight advised Council the work on the dams will impact the noise ordinance. Mr. Knight has the authority to suspend the ordinance in three-day increments to allow for the work.

Council directed Manager Knight to draft an amendment to adjust the noise ordinance during dam reconstruction.

PUBLIC COMMENT: Kevin Ellicott, 285 124 Iroquois Trail, asked about future use of Lower Aetna Lake by non-Colony members, as a result of the Borough owning the dam.

Dick Thurber, 198 Chippewa Trail, stated he pays higher taxes for his lakefront property, without the benefit of water in the lake.

Councilman Casey made a motion, seconded by Mayor Wasson, to authorize Solicitor Lange to prepare an ordinance for approval of the quit claim deed.

VOTE ON MOTION

Ayes: Wasson, Casey

Nays: Woodend

Motion carries

BOB MEYER PROPERTY – Solicitor Lange sent a letter to Attorney Tim Prime, which he answered. The two are currently attempting to adopt mutually acceptable language in the agreement for the use of the Borough's sewer system for the sub-division.

EMPLOYEE HANDBOOK – Council is preparing comments for the draft manual. Council asked for a one-hour addition to the next meeting in which to discuss the handbook. The Regular Council Meeting of April 27, 2006, will begin at 6:30pm.

TAX APPEAL – Council directed Solicitor Lange will meet with Joe Aromando, 285 Shingowack Trail, to discuss how to settle the lawsuit concerning his tax appeal.

BOND ORDINANCE – Manager Knight asked Council for authorization to prepare a bond ordinance resolution for 2006.

Councilman Casey made the motion, seconded by Mayor Wasson, to authorize CMFO Condo to prepare a bond ordinance resolution for 2006.

RESOLUTION 59-06

A RESOLUTION AUTHORIZING PREPARATION OF A BOND ORDINANCE TO SUPPORT 2006 CAPITAL PROJECTS

WHEREAS, there exists a need to prepare the necessary bond ordinance to support the Borough of Medford Lakes 2006 Capital Projects; and

WHEREAS, the Governing Body has reviewed the attached 2006 proposed capital budget listing and agree to appropriate the funds necessary to support all of the projects.

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

1. the CFO and Bond Counsel are authorized to prepare the necessary bond ordinance for introduction at the April 27, 2006 regular council meeting.

VOTE TO APPROVE RESOLUTION 59-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 59-06 is approved

CORRESPONDENCE

There was no other correspondence for discussion.

REPORTS

There were no other reports for discussion.

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

Mayor Wasson reminded those residents present to vote on Tuesday in the school budget elections, and to remind their friends and neighbors to do so.

ADJOURNMENT TO EXECUTIVE SESSION

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

**RESOLUTION 60 -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. 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:

**PUBLIC LAND ACQUISITION
BIG HILL/BMS LANDFILL**

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 TO EXECUTIVE SESSION

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 60-06 is approved

RETURN TO REGULAR COUNCIL MEETING

Councilman Woodend made a motion, seconded by Councilman Casey, to return to the Regular Council Meeting.

No official action will be taken.

VOTE TO RETURN TO REGULAR COUNCIL MEETING

Ayes: Wasson, Casey, Woodend
Nays: None
Motion carries

ADJOURNMENT

Councilman Woodend made a motion, seconded by Councilman Casey, to return to the Regular Council Meeting.

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend
Nays: None
Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

