

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
FEBRUARY 23, 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, and Colony representative Paul Weiss.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Special Council Meeting/Budget Hearings on February 4, 2006.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved for February 4, 2006

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Regular Council Meeting on February 9, 2006.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved for February 9, 2006

ORDINANCES

There were no ordinances for discussion at this time.

RESOLUTIONS

Councilman Casey introduced Resolution 34-06, seconded by Mayor Wasson.

**RESOLUTION 34-06
A RESOLUTION AMENDING THE 2006 TEMPORARY BUDGET**

WHEREAS, the State of New Jersey has extended the deadline for which Municipalities are required to introduce their 2006 permanent budget; and

WHEREAS, the new deadline for introduction of the 2006 permanent budget is March 21, 2006; and

WHEREAS, the State of New Jersey has authorized municipalities to extend their 2006 temporary budgets by 1/12 of the 2005 appropriations, exclusive of debt services, Capital Improvement Fund and public assistance; and

WHEREAS, 1/12 of the general fund is \$296,882.85, and 1/12 of the Sewer Utility fund is \$58,500; and

WHEREAS, the Chief Financial Officer has recommended that the Governing Body approve a temporary budget extension for the general fund in the amount of \$296,882.85 and the Sewer Utility Fund by \$58,500 to provide for necessary expenditures until the adoption of the budget or other time as the Governing Body reviews this matter;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, County of Burlington that the 2006 Temporary Budget is hereby extended as recommended by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to allocate the temporary budget extensions as is necessary to provide effective and efficient services of the Borough.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 34-06
Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 34-06 is approved

Mayor Wasson introduced Resolution 35-06, seconded by Councilman Casey.

**RESOLUTION 35-06
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MOSQUITO SPRAYING AGREEMENT**

WHEREAS, the County of Burlington will be conducting aerial Larval Mosquito Control in the Borough of Medford Lakes;

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, that the Mayor is authorized to execute an agreement with the Burlington County Mosquito Commission.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 35-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 35-06 is approved

Councilman Casey introduced Resolution 36-06, seconded by Mayor Wasson.

RESOLUTION 36-06

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF A COMBINATION SEWER CLEANER

WHEREAS, the Borough of Medford Lakes solicited public bids for the purchase of a Combination Sewer Cleaner; and

WHEREAS, the Borough Solicitor and Borough Manager have reviewed the bid documents and, finding no deficiencies, recommend award of the bid to the lowest, responsible bidder; and

WHEREAS, the contract is awarded pursuant to a fair and open process in accordance with N.J.S.A 19:44A-20.5 et seq.; and

WHEREAS, the Chief Finance Officer has certified the availability of funds; and

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 Borough of Medford Lakes and GranTurk Equipment Co., Inc. of Bridgeport, PA are authorized to enter a contract for the purchase of one (1) Combination Sewer Cleaner as the result of public bidding, for \$155,000; and
2. The Borough of Medford Lakes maintains the right to execute a trade in on the current Sewer Cleaner for \$3,500.00 as described in the Bid Documents and in accordance with N.J.S.A 40A: 11-36; and
3. The municipal clerk will publish a notice of this award as required.

Mayor Wasson advised he was not in favor of approving the resolution at this time; he would like to consult with the superintendents of both Wastewater and Public Works. Each had previously indicated to him that they do not feel the jet vac is the appropriate vehicle to buy. Also, Council has not received repair records and the in-service date for the vehicle, as previously requested. The jet vac is intended for Wastewater department use only; however, Manager Knight advised Council he is of the opinion that it can be retrofitted for storm water use.

Council directed Manager Knight to forward the vehicle's VIN number to Mayor Wasson, who will investigate it through CARFAX.

Mayor Wasson made a motion, seconded by Councilman Casey, to table approval of the resolution.

VOTE TO TABLE RESOLUTION 36-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 36-06 is tabled

OLD BUSINESS

DAMS – Colony representative Paul Weiss advised the Colony is waiting for two permits, one from the Pinelands and one from the Soil Conservation District. All other permits have been secured.

A meeting is scheduled for February 24, 2006, with all interested parties with regard to the lake dredging and dam reconstruction. Attendees will include representatives of the police department, fire department, emergency squad, public works, wastewater, and the school district. Manager Knight also contacted the County engineers with regard to the bridges, that fall under their responsibility.

Manager Knight asked Council to approve a resolution authorizing him to go out for bids, in an effort to save time after the permits are received. Mayor Wasson made a motion introducing the resolution, seconded by Councilman Casey, contingent on final approval by the Borough's professionals. Council discussed the issue further and decided to schedule a Special Meeting to review the specs when presented. The meeting will be advertised. Mayor Wasson withdrew his motion. Joe Aromando asked Council to advise residents around the lakes and those on the Task Force of the meeting.

OAKS HALL - Manager Knight showed Council the revised plans for the building. A bathroom was moved, allowing for extra storage space on the Administration side. Mr. Aromando asked Council to make every effort to re-establish the ADA grants.

MOLD AT DPW BUILDING – Hera Tech forwarded a report to Risk Management following their examination of the mold problem in the building. Manager Knight reported he asked Superintendent McCorristan to research prices to rent storage trailers to house the historic materials upstairs in the building. Paul Weiss offered the attic at Vaughn Hall for storage of the materials.

Council directed Manager Knight to have someone catalog the materials on the second floor of the DPW building and prepare to move it.

Council also directed Manager Knight to direct Superintendent McCorristan discard as much as possible of any non-historic items stored there.

EMPLOYEE HANDBOOK – Solicitor Lange is reviewing the JIF's suggested handbook, the Borough's previous handbook, and the one prepared by a committee of Borough employees at the request of the former manager. He will have a integrated draft copy ready for Council's review prior to the Regular Meeting on March 9, 2006.

GRANTS – The Borough has filed for the 2006 Smart Growth Community Grant.

SEWER LINE REPAIR – Council agreed the lines should be scoped in an effort to discover and repair problems, especially prior to lake dredging on Tabernacle and McKendimen Roads. These roads will sustain heavy truck traffic, which could adversely affect the sewer lines beneath them.

Council directed Manage Knight to follow up on bid specs for sewer maintenance.

NEW BUSINESS

BUDGET – Council directed Manager Knight to have Finance Officer Condo provide them with a one-sheet review of Capital Budget expenditures, which she previously offered for their review.

Council directed Ms. Condo to prepare a resolution for extraordinary aid.

The budget will be introduced at the Regular Council Meeting on March 9, 2006.

CORRESPONDENCE

Manager Knight reported a resident was bitten by his own dog on February 21, 2006; the quarantine process is being handled by the police department.

Mayor Wasson and recycling coordinator Mark McIntosh attended a recycling meeting at Shawnee High School, in an effort to encourage students in the district to recycle. An article about the meeting was featured in the Burlington County Times.

Manager Knight provided Council with the police department’s 2005 accumulated sick leave report.

REPORTS

SOLICITOR – Mr. Lange reported the discovery process for dam litigation is ongoing. Attorneys now want copies of all meeting minutes and a record of all calls on the day of the flood and the following day.

Council directed Solicitor Lange to forward to them his comments concerning the employee handbook and the Quit Claim deed for the dams.

COUNCIL – Councilman Woodend advised Council of the resignation of Emergency Management Coordinator Dave Matos, effective January 31, 2006. The position has been advertised and Manager Knight has received resumes of qualified individuals. Mayor Wasson advised the position of Emergency Management Coordinator is necessary in case of an emergency, but is otherwise not a time-consuming job.

Councilman Woodend made a motion, seconded by Councilman Casey, to appoint Mayor Wasson as Emergency Management Coordinator on an interim basis.

RESOLUTION 37-06

A RESOLUTION APPOINTING A TEMPORARY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, a vacancy exists in the position of Emergency Management Coordinator of the Borough of Medford Lakes; and

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

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

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. Mayor David D. Wasson, be and is hereby temporarily appointed as Emergency Management Coordinator for the Borough of Medford Lakes, New Jersey; and
2. The term for the aforementioned appointment shall be in accordance with all applicable laws; and
3. Mayor Wasson shall not be compensated during this temporary appointment.

VOTE TO APPROVE MOTION
Ayes: Wasson, Casey, Woodend
Nays: None
Motion carries

Mr. Wasson announced he would hold the position as a volunteer and eschew the salary associated with it.

MANAGER - Manager Knight advised Council of interest by some Borough residents in holding a recognition ceremony in honor of Jim Vogdes, who resigned as Borough Solicitor following a 23-year tenure. Borough resident Michael Levinsky will invite previous council members to attend.

Council directed Manager Knight to invite former Borough managers who worked with Mr. Vogdes.

PUBLIC COMMENT

Joe Aromando asked Council about a rumor that the Borough's police officers are negotiating to bank unused sick time for buyback at retirement, and asked if such a benefit would be included in their pending contract. He suggested not making it part of the contract in an effort to discourage other Borough employees from negotiating the same benefit, which he felt the Borough could not afford. Council advised Mr. Aromando that the benefit is already a part of their contract, which was negotiated in 2000 while he was on Council.

PAYMENT OF BILLS

Mayor Wasson made a motion, seconded by Councilman Casey, to pay the bills on the Bill List, with the exception of the ERI bill submitted by the Planning Board.

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

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 38-06

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:

Employee/personnel/union issues

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
Meeting adjourned to Executive Session

RETURN TO REGULAR MEETING

Mayor Wasson made a motion, seconded by Councilman Casey, to return to the Regular Meeting. No official action was 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 Casey, to adjourn the meeting

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

