

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
JANUARY 12, 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 and Councilman Timothy Casey. Councilman Gary Woodend arrived late. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor James Vogdes, Colony representative Paul Weiss, and engineer Wayne Simpson.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, stated in his opinion the format of meeting is deteriorating into hurrying to finish rather than allowing all residents to ask questions about all issues. He asked for a return to the old method.

Also, Mr. Aromando would like to ask questions about the foundation at Oaks Hall that has to be replaced. He will wait until the Old Business section of the meeting.

APPROVAL OF MINUTES

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Regular Council Meeting of December 8, 2005, with one minor change.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey

Nays: None

Abstain: Woodend

Minutes are approved

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Regular Council Meeting of December 22, 2005.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey

Nays: None

Abstain: Woodend

Minutes are approved

ORDINANCES

Mayor Wasson introduced Ordinance 515, seconded by Councilman Casey, on First Reading.

ORDINANCE NO. 515

A BOND ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE ACQUISITION OF SEWER COLLECTION LINE CLEANING EQUIPMENT; APPROPRIATING THE SUM OF \$160,000 THEREFORE; AUTHORIZING THE ISSUANCE OF \$160,000 BOND OR NOTES OF THE BOROUGH TO FINANCE SAID IMPROVEMENTS; AND MAKING CERTAIN DETERMINATIONS AND CONVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes, County of Burlington, New Jersey (not less than two-thirds of all members therefore affirmatively concurring) pursuant to the provisions of the local bond law, chapter 169 of the laws of 1960 of the State of New Jersey, as amended and supplemented (“local bond law”), as follows:

Section 1. The capital equipment described in Section 3 of this Ordinance is hereby authorized to be acquired and utilized by the Borough of Medford Lakes (the "Borough"), situate in the County of Burlington, New Jersey as general improvement. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$160,000.

Section 2. In order to finance the cost of the acquisition of the equipment, negotiable bonds are hereby authorized to be issued in the principal amount of \$160,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose; and the period of usefulness of each said purpose within the limitations of the Local Bond Law, all as more fully described in accordance with specifications on file in the office of the Borough Clerk, are as follows:

<u>Purpose/ Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
A. Acquisition of a Sewer Collection Line Cleaning Machine, including the acquisition of all related materials and performance of all work necessary therefore and incidental thereto.	\$160,000	\$0.00	\$160,000	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$160,000.

(c) The estimated cost of the improvement is \$160,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Borough's financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the financial officer. The financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8(a). The financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The financial officer is directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser. The financial officer is authorized and directed to comply with all post-issuance requirements under the Internal Revenue Code of 1986, as amended, to insure that the interest on such bonds or notes remains exempt from gross income for federal income tax and New Jersey Gross Income Tax Act purposes, if so sold, and to make any and all determinations or elections necessary or desirable with regard to such tax status and may invest the proceeds of any such sale in accordance therewith.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution, in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this ordinance are not a current expense. They are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property benefited thereby.

(b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, taking into consideration the respective amounts of bonds or notes, is not less than 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$160,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000.00 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The financial officer is authorized to designate such bonds or notes as "Qualified Tax Exempt Obligations" pursuant to I.R.C. Section 265 so long as the Borough has not issued other such obligations beyond the limitations set forth in the Internal Revenue Code of 1986, as amended.

Section 7. All grant monies from any source received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby declares its official intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 10. In the event that any section or part of this ordinance shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such section or part shall, to the extent that it is not unconstitutional, invalid, or inoperative, remain in full force and effect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

VOTE TO APPROVE ORDINANCE 515 ON FIRST READING

Ayes: Wasson, Casey, Woodend

Nays: None

Ordinance 515 is approved on First Reading

The Second and Final Reading will be at the January 22, 2006 Regular Council Meeting.

RESOLUTIONS

Mayor Wasson introduced Resolution 1-06, seconded by Councilman Woodend.

RESOLUTION 1-06

A RESOLUTION APPOINTING A RISK MANAGEMENT CONSULTANT CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Medford Lakes has a need to acquire a Risk Management Consultant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Commerce National Risk Services will complete and submit a Business Entity Disclosure Certification which certifies that Commerce National Risk Services has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Commerce National Risk Services from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, the Governing Body of Medford Lakes Borough has resolved to join Camden County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Fund permit each municipality to appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW, THEREFORE, BE IT RESOLVED that the governing body of Medford Lakes Borough does hereby appoint John Wagner of Commerce National Risk Services as its Risk Management Consultant in accordance with 40A: 11-5 and;

BE IF FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A: 11-5 (1), (a), (I) and that the Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 1-06

Ayes: Wasson, Woodend
Nays: None
Abstain: Casey
Resolution 1-06 is approved

Mayor Wasson introduced Resolution 2-06, seconded by Councilman Casey.

**RESOLUTION 2-06
A RESOLUTION AUTHORIZING THE ASSESSOR TO EXECUTE STIPULATIONS OF SETTLEMENT AND FILE ASSESSOR APPEALS**

WHEREAS, statutory provision is made for the review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the Tax Rate; and

WHEREAS, changes in property ownership at times necessitates adjustment to the Veteran and/or Senior Citizens deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local assessor subject to Laws and Regulations;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council, County of Burlington, and State of New Jersey, that the assessor, fulfilling the duties and requirements of his office, be authorized to file with the Burlington County Board of Taxation such appeals as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Medford Lakes; and

BE IT FURTHER RESOLVED that the assessor is hereby authorized to execute stipulations of settlement on behalf of the municipality; and

BE IT FURTHER RESOLVED that a certified copy of this resolution accompany any appeal filed by the assessor with the Burlington County Board of Taxation.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 2-06
Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 2-06 is approved

Mayor Wasson introduced resolution 3-06, seconded for discussion by Councilman Casey.

**RESOLUTION 3-06
ESTABLISHMENT OF SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2006**

WHEREAS, the Open Public Meeting Law effective January 19, 1976, provides for the compilation and dissemination of a schedule of regular meetings for public bodies;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that the following be and hereby is a compilation of Regular Meetings to be held by this Council during the year. In compliance with the Open Public Meetings Law PL 1975 C. 23.1, the Borough Council of the Borough of Medford Lakes disseminates the following annual notice of the schedule of meetings to be held during the calendar year 2006. All meetings (unless noticed) will commence at 7:30 PM, prevailing time, in Denby Annex, Vaughn Hall, 79 Tecumseh Trail, on the following dates:

MEETING ONE

MEETING TWO

JANUARY 12, 2006
FEBRUARY 09, 2006
MARCH 09, 2006
APRIL 13, 2006
MAY 11, 2006
JUNE 08, 2006

JANUARY 26, 2006
FEBRUARY 23, 2006
MARCH 23, 2006
APRIL 27, 2006
MAY 25, 2006
JUNE 22, 2006

JULY 01, 2006 (SAT. NOON)
 JULY 13, 2006
 AUGUST 10, 2006
 SEPTEMBER 14, 2006
 OCTOBER 12, 2006
 NOVEMBER 09, 2006
 DECEMBER 14, 2006

REORGANIZATION MEETING
 JULY 27, 2006
 AUGUST 24, 2006
 SEPTEMBER 28, 2006
 OCTOBER 26, 2006
 DECEMBER 28, 2006

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 3-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 3-06 is approved

Mayor Wasson introduced resolution 4-06, seconded by Councilman Casey.

RESOLUTION NUMBER: 4-06

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 requires the Governing Body to make appropriations to provide for the period between January 1, 2006, and the adoption of the Budget; and

WHEREAS, the total appropriation shall not exceed 26.25 % of the total of the appropriations for the preceding fiscal year, less the appropriations for interest and debt redemption charges capital improvement fund and public assistance, (amount allowable for the Current Fund is \$939,905.96 and the amount for the Wastewater Utility Operating Fund is \$175612.50);

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 appropriations constitute the 2006 Temporary Budget for the Borough of Medford Lakes:

<u>APPROPRIATION</u>	<u>AMOUNT</u>
ADMINISTRATION & EXECUTIVE	
..... Salaries & Wages.....	\$ 10,250.00
..... Other Expenses.....	\$ 7,500.00
 MAYOR & COUNCIL	
..... Salaries and Wages ..	\$ 1,340.00
..... Other Expenses	\$ 124.00
 CLERK	
..... Salaries and Wages ..	\$ 12,030.00
..... Other Expenses	\$ 5,600.00
 FINANCE ADMINISTRATION	
..... Salaries and Wages ..	\$ 13,570.00
..... Other Expenses.....	\$ 750.00

AUDIT	
..... Other Expenses	\$ 5,500.00
DATA PROCESSING	
..... Other Expenses	\$ 8,000.00
COLLECTION OF TAXES	
..... Salaries and Expenses	\$ 3,300.00
..... Other Expenses	\$ 975.00
ASSESSMENT OF TAXES	
..... Salaries and Wages	\$ 4,100.00
..... Other Expenses	\$ 750.00
LEGAL SERVICES	
..... Salaries and Wages	\$ 6,825.00
ENGINEERING SERVICES	
..... Other Expenses	\$ 3,150.00
HISTORIC	
..... Salaries and Wages	\$ 670.00
..... Other Expense	\$ 124.00
PLANNING BOARD	
..... Salaries and Wages	\$ 1,234.00
..... Other Expenses	\$ 1,575.00
UNEMPLOYMENT	\$ 265.00
SURETY BONDS.....	
POLICE	
..... Salaries and Wages	\$185,000.00
..... Other Expenses	\$ 13,800.00
OEM	
..... Salaries and Wages	\$ 675.00
..... Other Expenses	\$ 175.00
CONTRIBUTION TO FIRST AID ORGANIZATION	\$ 3,240.00
FIRE	
..... Other Expenses	\$ 15,750.00
FIRE OFFICIAL	
..... Salaries and Wages	\$ 2,651.00
..... Other Expenses	\$ 374.00

PROSECUTOR	
..... Salaries and Wages	\$ 1,522.00
STREETS AND ROADS	
..... Salaries and Wages	\$ 96,730.00
..... Other Expenses	\$ 18,670.00
SOLID WASTE	
..... Salaries and Wages	\$ 17,666.00
..... Other Expenses	\$ 8,540.00
BUILDINGS	
..... Other Expenses	\$ 6,109.00
VEHICLE	
..... Other Expenses	\$ 12,600.00
ENVIRONMENTAL	
..... Salaries and Wages	\$ 925.00
ELECTRICITY	\$ 5,120.00
STREET LIGHTS	\$ 2,045.00
TELEPHONE	\$ 3,675.00
NATURAL GAS	\$ 3,150.00
GASOLINE	\$ 13,125.00
PRINTING	\$ 1,181.00
LANDFILL	\$ 34,125.00
CONSTRUCTION CODE OFFICIAL	
..... Salaries and Wages	\$ 8,070.00
..... Other Expenses	\$ 2,410.00
ZONING CODE ENFORCEMENT	
..... Salaries and Wages	\$ 1,265.00
..... Other Expenses	\$ 185.00
CONTINGENT	\$.00
OASI	\$ 33,700.00
EMP PENSION	\$ 682.00

MUNICIPAL COURT	
..... Salaries and Wages	\$ 7,356.00
..... Other Expenses	\$ 1,666.00
 PUBLIC DEFENDER	
..... Salaries and Wages	\$ 672.00
 LIABILITY INSURANCE	
	\$ 86,000.00
 INSURANCE	
Group Insurance for Employees.....	\$ 73,500.00
PFRS.....	\$ 50,700.00
PERS.....	\$ 17,244.40
BOND PRINCIPAL	\$
BOND INTEREST.....	\$
BAN PAYMENT	\$
 TOTAL	 \$ 820,930.40
 WASTEWATER UTILITY	
..... Salaries and Wages	\$ 82,000.00
..... Other Expenses	\$ 84,700.00
..... Capital Fund	\$.00
..... Bond Principal	\$.00
..... Bond Interest	\$.00
..... OASI	\$ 8,400.00
..... Unemployment Compensation	\$ 500.00
 TOTAL	 \$175,600.00

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 4-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 4-06 is approved

Mayor Wasson introduced resolution 5-06, seconded by Councilman Woodend.

RESOLUTION 5-06

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2006

WHEREAS, NJSA 40A:5-14 mandates that the Governing Body of a Municipal Corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the State and organized under laws of the United States;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that, any financial institution or bank that is licensed to do business in the State of New Jersey and is covered by the Government Unit Deposit Protection Act, and the New Jersey Cash Management Fund, be and are hereby designated as official depositories for Borough funds. Prior to the deposit of any municipal funds in the above mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 5-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 5-06 is approved

Mayor Wasson introduced resolution 6-06, seconded by Councilman Woodend.

RESOLUTION 6-06

A RESOLUTION AWARDED A PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL

WHEREAS, the Borough of Medford Lakes has a need to acquire a bond counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Raymond & Coleman, LLP will complete and submit a Business Entity Disclosure Certification which certifies that Raymond & Coleman, LLP has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Raymond & Coleman, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, the Borough of Medford Lakes is empowered under N.J.S.A. 40A: 11-2(6) to retain and engage bond counsel; and

WHEREAS, the contract attached shall be active for the period of January 1, 2006, until December 31, 2006;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that a professional services contract for "Bond Counsel" is awarded to:

1. Mr. Thomas Coleman, III, of Raymond & Coleman, LLP, 325 New Albany Road, Moorestown, NJ 08057.
2. The agreed to contract attached shall be for the period of 1/1/06 to 12/31/06.
3. The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.
4. The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 6-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 6-06 is approved

Mayor Wasson introduced resolution 7-06, seconded by Councilman Woodend.

RESOLUTION 7-06

AN AUTHORIZATION OF NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES

WHEREAS, it is required to designate newspapers for publication of Legal Notices;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that The Central Record, Medford, NJ published weekly, The Burlington County Times, Willingboro, NJ, published daily and the Courier-Post, Cherry Hill, NJ, published daily, be authorized as official newspapers for the publication of Legal Notices of the Borough: it being the intent of this resolution with respect to any Legal Notice that such may be published in either newspaper.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 7-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 7-06 is approved

Mayor Wasson introduced resolution 8-06, seconded by Councilman Casey.

RESOLUTION 8-06

APPOINTMENT OF DEPUTY MUNICIPAL CLERK

WHEREAS, there exists a need for a Deputy Municipal Clerk in order to serve in the absence of the Municipal Clerk;

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

1. Mark J. McIntosh is hereby appointed Deputy Clerk for the Borough of Medford Lakes, for the term commencing January 1, 2006 and ending December 31, 2006.
2. The salary for this position shall be set forth by the Municipal Salary ordinance.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 8-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 8-06 is approved

Mayor Wasson introduced resolution 9-06, seconded by Councilman Casey.

RESOLUTION 9-06

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF A PETTY CASH FUND

WHEREAS, N.J.S.A.40A:5-21 authorizes the establishment of a petty cash fund for the Clerk's Office of the Borough of Medford Lakes; and

WHEREAS, said petty cash fund was established by Resolution dated June 8, 1972, by the Borough Council of the Borough of Medford Lakes; and

WHEREAS, it is the desire of the Borough Council that said fund be continued under direction of the Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that:

1. During the year 2006, Richard J. Knight, Borough Clerk be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$200.00 pursuant to the provisions of N.J.S.A 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. Richard J. Knight, Borough Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 9-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 9-06 is approved

Mayor Wasson introduced resolution 10-06, seconded by Councilman Casey.

**RESOLUTION 10-06
AUTHORIZING INVESTMENT OF IDLE FUNDS AND FUND TRANSFERS**

WHEREAS, it is desirable that idle funds of the Borough of Medford Lakes be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles such as investments to the investing institution; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Medford Lakes that it does authorize the Chief Financial Officer to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. to or from Borough checking or savings accounts to other Borough accounts; and
2. to or from Borough checking or savings accounts to other Borough accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Medford Lakes, New Jersey.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 10-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 10-06 is approved

Mayor Wasson introduced Resolution 11-06, seconded by Councilman Casey.

Following discussion, Councilman Casey made a motion, seconded by Councilman Woodend, to table approval of the resolution to the Regular Council Meeting on January 26, 2006.

VOTE TO TABLE APPROVAL OF RESOLUTION 11-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 11-06 is tabled

Mayor Wasson introduced resolution 12-06, seconded by Councilman Casey.

RESOLUTION NUMBER 12-06

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF SEWER SERVICES AND SETTING THE RATE OF INTEREST ON DELINQUENT SEWER SERVICES FOR THE YEAR 2006

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

WHEREAS, NJSA 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 sewer services which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all sewer services which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent sewer services shall be eighteen percent (18%) per annum for the year 2006; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 12-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 12-06 is approved

Mayor Wasson introduced resolution 13-06, seconded by Councilman Casey.

RESOLUTION 13-06

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF TAXES AND SETTING THE RATE OF INTEREST ON DELINQUENT TAXES FOR THE YEAR 2006

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for taxpayer to be permitted a grace period for the payment of taxes; and

WHEREAS, R.S. 54:4-67 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 taxes which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all taxes which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent taxes and delinquent assessments shall be eight percent (8%) per annum for the year 2006 except when the total delinquency exceeds \$1,500.00, the interest rate shall be eighteen percent (18%) per annum on the portion in excess of \$1,500.00 and shall remain at eighteen percent (18%) (even if the amount is below \$1,500.00) until the account becomes current; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 13-06
Ayes: Wasson, Casey, Woodend
Nays: None
Resolution 13-06 is approved

Mayor Wasson introduced resolution 14-06, seconded by Councilman Woodend.

**RESOLUTION 14-06
AWARD CONTRACT OF PROFESSIONAL SERVICES OF MUNICIPAL AUDITOR**

WHEREAS, the Borough of Medford Lakes has a need to acquire a Municipal Auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Inverso & Stewart will complete and submit a Business Entity Disclosure Certification which certifies that Inverso & Stewart has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Inverso & Stewart from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Auditor to perform Auditing services for the Borough in connection with the preparation of the annual audit and financial statements; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the resolution authorizing awarding of contracts for Professional Services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Robert Stewart of Inverso & Stewart, be and is, hereby appointed as the Municipal Auditor for the Borough of Medford Lakes for the calendar year 2006.

PUBLIC COMMENT: Joe Aromando asked Council to declare if they had received any kind of remuneration from any of the appointees.

VOTE TO APPROVE RESOLUTION 14-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 14-06 is approved

Mayor Wasson introduced resolution 15-06, seconded by Councilman Casey.

**RESOLUTION 15-06
APPOINTMENT OF PROSECUTOR AND SUBSTITUTE PROSECUTOR**

WHEREAS, the Borough of Medford Lakes has a need to acquire a Prosecutor and Substitute Prosecutor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Mark Tarantino and Frank Cavello will complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, Council wishes to designate a Municipal Prosecutor and Substitute Prosecutor;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Mark Tarantino be and hereby is appointed Prosecutor of the Borough of Medford Lakes for the term ending December 31, 2006 and Frank Cavello is appointed as Substitute Prosecutor of Medford Lakes for the term ending December 31, 2006; and

BE IT FURTHER RESOLVED that any attorney practicing as a Municipal Prosecutor in the County is authorized to substitute prosecute in the event of a prosecutors scheduling problem. The substitution provision of this resolution shall not be deemed to authorize additional payment or to increase the prosecutor position line item; and

BE IT FURTHER RESOLVED that this appointment be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 15-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 15-06 is approved

Mayor Wasson introduced resolution 16-06, seconded by Councilman Casey.

RESOLUTION 16-06

AWARD CONTRACT OF PROFESSIONAL SERVICES OF MUNICIPAL ENGINEER

WHEREAS, the Borough of Medford Lakes has a need to acquire a Municipal Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Richard A. Alaimo Associates will complete and submit a Business Entity Disclosure Certification which certifies that Richard A. Alaimo Associates has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Richard A. Alaimo Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Engineer to perform Engineering services for the Borough in connection with road work, tax maps, Sewerage Treatment Plant and mains; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the resolution authorizing awarding of contracts for Professional Services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that Richard A. Alaimo Association of Engineers be and is hereby appointed as the Municipal Engineer for the Borough of Medford Lakes for the calendar year 2006.

PUBLIC COMMENT: Jim Walker, Chicagami Trail, asked about "Pay-for-Play."

VOTE TO APPROVE RESOLUTION 16-06

Ayes: Wasson, Casey

Nays: None

Abstain: Woodend

Resolution 16-06 is approved

Mayor Wasson introduced resolution 17-06, seconded by Councilman Casey.

RESOLUTION 17-06

A RESOLUTION RECOGNIZING ELIZABETH (BETTY) REIS FOR HER LEADERSHIP AS THE 2005 PRESIDENT OF THE MEDFORD LAKES COLONY AND FOR HER SERVICE TO THE COMMUNITY

WHEREAS, Betty Reis served the Colony of Medford Lakes as President during the year 2005; and

WHEREAS, Betty donated her leadership skills to oversee the yearly operation of this prominent community organization; and

WHEREAS, Betty brought to bear her affection for the Medford Lakes Community to guide in her decisions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes hereby recognizes Elizabeth “Betty” Reis for her leadership and devotion to the community.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 17-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 17-06 is approved

Mayor Wasson introduced resolution 18-06, seconded by Councilman Woodend.

A RESOLUTION NUMBER 18-06

A RESOLUTION CANCELING TAXES ON EXEMPT PROPERTY

WHEREAS, Charles Bechtel residing at and State of New Jersey has been granted a tax exemption status under N.J.S.A. 54:4-3.30 et seq.; and

WHEREAS, the property taxes need to be canceled on B: 30102, L3581 in the amount of \$3,814.34 for the second half billing of 2005;

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 property taxes on B: 30102 L: 3581 also known as 86 Onondago Trail have been cancelled with an effective date of December 30, 2006 for the tax year 2006; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County and the Municipal/Regional School Board to advise them of action taken by the Borough Council of the Borough of Medford Lakes.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 18-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 18-06 is approved

Council directed Manager Knight to contact the State legislature concerning the status of reimbursement for those residents who receive an exemption on their taxes.

Mayor Wasson introduced resolution 19-06, seconded by Councilman Casey.

RESOLUTION NUMBER 19-06

A CO-BORROWERS RESOLUTION AUTHORIZING A LOAN AGREEMENT BETWEEN MEDFORD LAKES COLONY AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the governing body of the Borough of Medford Lakes desires to further the public interest by co-signing for a loan from the State of New Jersey to the Medford Lakes Colony in the amount of \$122,133.00 to fund the rehabilitation of Ballinger Lake Dam; and

WHEREAS, therefore, the governing body hereby resolves that Richard J. Knight, as Borough Manager, or the successor to the office of Borough Manager, is authorized (a) to execute a loan agreement as the co-borrower with the State for a loan in an amount not more than \$122,133.00 to be made to the Medford Lakes Colony, and (b) to execute any amendments thereto;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey authorizes, and hereby agrees to complete the dam restoration project and reimburse the State in accordance with the terms and conditions of the loan agreement in the event of a default on the part of the Medford Lakes Colony; and

BE IT FURTHER RESOLVED, the Borough of Medford Lakes agrees to comply with all applicable federal, state, and municipal laws, rules and regulations in its performance pursuant to the agreement.

PUBLIC COMMENT: Mike Powers, 19 Onondago Trail, asked if the loan approval for Ballinger Dam was indicative that DEP would also approval monies for repair of the Aetna Lakess.

VOTE TO APPROVE RESOLUTION 19-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 19-06 is approved

Mayor Wasson introduced Resolution 20-06, seconded by Councilman Casey.

RESOLUTION NO. 20-06

A RESOLUTION AUTHORIZING SIGNATURES ON BOROUGH ACCOUNTS

WHEREAS, it is the desire of the Borough Council of the Borough of Medford Lakes to designate certain Borough Officials as signatories for Borough Bank Accounts;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, New Jersey that the following Borough Officials are hereby authorized to sign checks or withdrawal slips:

- A. The following bank accounts of the Borough of Medford Lakes shall require two (2) signatures as followings: First Signature shall be that of the Mayor. In the absence of the Mayor, a Borough Councilperson shall sign. Second signature shall be that of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Borough Clerk shall sign. In the absence of the Chief Financial Officer and the Borough Clerk, the Deputy Borough Clerk shall sign.

Accounts: Current Fund, General Capital Fund, Waste Water, Waste Water Capital, Police Body Armor, Environmental, Street Opening, Planning and Zoning, Animal Control, Municipal Alliance, Flood Relief, Public Defender, Unemployment, Special Law Enforcement,

- B. The Payroll account of the Borough of Medford Lakes shall require the signature of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Mayor, Borough Clerk, or Deputy Borough Clerk shall sign.
- C. Any bank account not listed in this resolution shall require the signatures as listed in A above, unless a Resolution of the Governing Body is adopted.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 20-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 20-06 is approved

OLD BUSINESS

OAKS HALL – the process is ongoing, despite a setback. The existing footings will be removed by Giberson Excavating. Ragan Architects will act as project manager until a more permanent solution can be found. The firm is preparing plans to go for bids on new footings, foundation, and plumbing. Shop drawings from log provider Heartbilt are due the middle of January. Current project manager Madden has been paid for the removal of the oil tank and other miscellaneous work, but has not been paid for the footings.

DAMS – Princeton Hydro will do the dredging. Manager Knight is scheduled to meet with representatives of Dewberry, Alaimo, and Princeton Hydro on January 17, 2006, at 1:00pm. Mr. Knight asked that a member of the task force be present as well. The goal of the meeting is to keep all the professionals working together.

Colony representative Paul Weiss advised Council that the Colony is waiting for permit approval for the applications that have been submitted.

TRADING POST WAY IMPROVEMENTS – Manager Knight advised Council that the Burlington County Highway Department may offer assistance on the project as part of their training program. Mr. Simpson advised that Council needs to approve a resolution in order for his office to proceed with the design.

PUBLIC COMMENT: Joe Aromando asked that those working on the project consider the entire intersection of Stokes, Trading Post, Mohawk, Minnetonka Trail, and the island as one total package.

BOB MEYER PROPERTIES – Council discussed the ongoing issue of fee reimbursement should the project not be completed.

CODIFICATION – Council discussed changes and errors in the finished product which will be rectified.

SEWER MAINTENANCE – at the February 9, 2006, Regular Council meeting, John Anstead will give a presentation about his company's sewer line maintenance system.

NEW BUSINESS

There was no new business for discussion at this time.

CORRESPONDENCE

There was no correspondence for discussion at this time.

REPORTS

MANAGER – Mr. Knight reported the 2006 budget process is proceeding. A tentative meeting is scheduled for February 4, 2006, between Council members and department heads.

Council directed Manager Knight to provide each of them with a copy of each department's proposed budget for their review prior to February 4th.

Manager Knight advised Council on pending fuel requirements, which would make all Borough trucks obsolete.

COUNCIL – Councilman Woodend discussed an issue with a fire department appointment that has been resolved. Fire Chief McIntosh issued a General Order appointing a Battalion Chief, which resulted in a grievance being filed with Manager Knight. Council asked that the issue of criteria for department officers and appointments be included on a future agenda for discussion. Councilman Woodend was pleased that the system worked for the resolution of the problem.

ADJOURNMENT

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

RESOLUTION 21-06

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:

SOLICITOR APPLICANT INTERVIEWS

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 Woodend, 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 Woodend, to adjourn the meeting

VOTE TO ADJOURN

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

