

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
MARCH 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, Colony Representative Paul Weiss and Squad Representative Sandy Wasson. Solicitor Peter Lange was not in attendance.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Wasson made a motion, seconded by Councilman Woodend, to approve the minutes of the March 9, 2006, Regular Council Meeting, as amended.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved for March 9, 2006

ORDINANCES

Councilman Casey introduced Ordinance 516, seconded by Councilman Woodend, on Second and Final Reading.

ORDINANCE 516

AN ORDINANCE AMENDING CHAPTER 190-21 OF THE CODE OF THE BOROUGH OF MEDFORD LAKES ENTITLED "SEWER-RATE SCHEDULES"

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, State of New Jersey, as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to amend Chapter 190-21 of the Code of the Borough of Medford Lakes, entitled "Sewers – Rate Schedules" as follows:

SECTION 2. AMENDMENT

1. (a) Chapter 190-21 Schedule A, is hereby amended, by deleting the annual rate of \$ 560.00 for each dwelling unit, and replacing same with \$ 600.00 (\$150.00 per quarter).
- (b) Chapter 190-21 Schedule B, is hereby amended as follows:

Church per separate building unit with sewer connection per quarter);	\$560.00 is replaced with \$600.00 (\$150.00
Hotel or Bar/Restaurant facilities that serve alcoholic beverages	\$3,375.68 is replaced with \$3,612.00;
Restaurant / Luncheonette or Caterer	\$1,685.60 is replaced with \$1,804.00;
Grocery Store or Convenience Store	\$1,122.24 is replaced with \$1,200.00;
Laundromat- Each washing machine	\$280.00 is replaced with \$300.00;
Colony Club Building	\$1,685.60 is replaced with \$1,804.00;
Bank or Financial Institution	\$1122.24 is replaced with \$1,200.00;

(c) Chapter 190-21, Schedule C, is hereby amended as follows:

Lenape Regional High School District (Shawnee High School)	\$23,710.40 is replaced with \$25m376.00
Other Commercial Building (under 2,000 Sq. Ft.)	\$560.00 is replaced with \$600.00;
Other Commercial Building (Over 2,000 Sq. Ft.)	\$1,200.00;
Other Professional and Quasi-Public Buildings	\$560.00 is replaced with \$600.00 per unit;
YMCA Camp Ockanickon	\$23,710.00 is replaced with \$25,376.00;

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its final passage and publication according to law, and shall be effective as of July 1, 2006.

PUBLIC COMMENT: None

VOTE TO APPROVE ORDINANCE 516 ON SECOND AND FINAL READING

Ayes: Wasson, Casey, Woodend

Nays: None

Ordinance 516 is approved

Councilman Casey introduced Ordinance 516, seconded by Councilman Woodend, on Second and Final Reading.

ORDINANCE 517

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEES AND OFFICERS OF THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2006 AND SPECIFYING THE METHOD OF PAYMENT THEREOF

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes in the County of Burlington, New Jersey that:

Section 1. The following salaries designated herein are fixed on an annual basis respective to the position listed below. All employees may be paid bi-weekly, monthly or quarterly, as directed by the Borough Manager.

Overtime compensation for hours worked in excess of the regular workweek (40 hours) shall be at time and one-half rate.

Section 2. The rates of salaries stated herein are the maximum rates and ranges. Employees may be paid up to these ranges at the discretion of the Municipal Manager.

<u>TITLE</u>	<u>MAXIMUM COMPENSATION EXCLUSIVE OF OVERTIME</u>
<u>ADMINISTRATION</u>	
Mayor and Council	1,700.00
Municipal Manager	32,307.00
Municipal Clerk	32,307.00
Chief Finance Officer	40,000.00
Clerical Staff	44,562.00
Part Time Clerical	Per Hour 17.83
Tax Assessor	16,211.00
Tax Collector	12,860.00
Sewer Collector	15,788.00
Safety Coordinator	5,570.00
Recycling Coordinator	3,640.00
Solicitor	26,000.00
Secretary to the Historic Commission	2,646.00
Secretary to the Planning Board	4,808.00
Prosecutor	6,031.00
Public Defender	2,874.00
Deputy Clerk	14,664.00
Deputy Treasurer	10,400.00
Rabies Day Clinic Assistants	up to \$125 per clinic
Borough Council Meeting Secretary	\$125.00 for each Council Meeting

Overtime compensation for clerical assistants for hours worked in excess of the regular workweek (35 Hours) shall be at time and one-half rate.

<u>MUNICIPAL COURT</u>	
Judge	9,286.00
Municipal Court Administrator	Hourly not to exceed \$18,448.00
	\$100.00 per court session & \$30.00 for each call in
Deputy Court Administrator	\$100.00 per court session & \$15.00 for each call-in

POLICE DEPARTMENT

Crossing Guards	Per Hour	13.62
Special Police	Per Hour	16.71

CODE ENFORCEMENT

Construction Official		10,000.00
Electrical Sub-code Official		4,820.00
Plumbing Sub-code Official		4,820.00
Fire Sub-code Official		4,820.00
Code Enforcement Officer		4,821.00

EMERGENCY MANAGEMENT

Emergency Management Coordinator		2,080.00
Emerg. Mgmt Coord. – For state of Emergency Activation per hour not to exceed 100 hrs		40.00
Deputy emergency Management Coordinator		416.00

BUREAU OF FIRE PREVENTION

Fire Official		3,899.00
Fire Inspector		1,768.00
Fire Administrator		5,408.00

PUBLIC WORKS/SANITATION

Superintendent		71,856.00
Forman	per hour	23.75
Laborer Class C	per hour	13.32
Laborer Class B	per hour	15.80
Laborer Class A	per hour	19.87
Mechanic	per hour	12.48

WASTEWATER TREATMENT UTILITY

Superintendent		69,205.00
Clerical		20,800.00

Section 3. The Manager, at his/her discretion, can hire replacement employees up to and including the present maximum rates as set forth in this Ordinance.

Section 4. Members of the Police Department entitled to additional compensation for authorized duty in excess of the hours of ordinary duty or for allowances of expenses and promotion of officers shall be paid for such excess hours, expenses and promotions in accordance with the agreement made between the Borough of Medford Lakes and the Medford Lakes Police Officers Association. Such compensation however, shall not be less than permitted by applicable State and Federal Law.

Section 5. Longevity - All full time salaried and hourly employees shall be entitled to a longevity payment in November of the calendar year in which the second anniversary of continuous employment occurs, and annually thereafter. The annual longevity payment, upon entitlement, shall be calculated at the rate of \$100.00 per year of continuous employment ending in that calendar year provided however, that the annual longevity payment shall not exceed 7% of the current year's salary, or in the case of hourly employees, the annual regular time compensation based on 2,080 hours times the current hourly rate. In the event that an employee, who is otherwise eligible for a longevity payment, terminates his/her employment with the Borough

prior to the time when such payments are regularly paid, he/she shall be entitled to a pro rated payment as of the date employment with the Borough terminated.

Section 6. Shift Differential - Members of the Police Department who are regularly assigned to continuous operation shifts or twenty-four rotating shift work, shall be paid a shift differential equal to two per cent (2%) of the employees base wages for the year. Such payment shall be made in a lump sum amount annually with the last regular pay period in November. In the event a member terminates employment before the November, payment shall be pro rated and paid upon termination.

Section 7. The salaries fixed by the foregoing section of this Ordinance shall respectively in lieu of any and all fees which the respective incumbents of said office might otherwise be entitled by Statute or otherwise by virtue of said office, which fees shall immediately upon collection thereof be paid over to the Chief Finance Officer of the Borough.

Section 8. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately upon its final adoption and publication according to law, but the rate of compensation provided for herein shall become effective as of January 1, 2006.

Council discussed the absence of wastewater employees in the ordinance, who were not included due to pending negotiations with their newly formed union. However, it was decided to include their existing salaries in the ordinance and then amend it following negotiations.

PUBLIC COMMENT: None

VOTE TO APPROVE ORDINANCE 517 ON SECOND AND FINAL READING

Ayes: Wasson, Casey, Woodend

Nays: None

Ordinance 517 is approved

RESOLUTIONS

Mayor Wasson moved to take Resolution 36-06 off the table, seconded by Councilman Casey.

VOTE TO REMOVE RESOLUTION FROM THE TABLE

Ayes: Wasson, Casey

Nays: Woodend

Motion carries

RESOLUTION 36-06

A RESOLUTION AWARDED 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 expressed his reasons for his continued disapproval of the vehicle in question that could be used for the sewer system but not for storm water. He discussed the vehicle with previous DPW superintendent Carl Goodfellow, who is against the purchase. Manager Knight explained why he is in favor of the purchase. Council and Manager Knight discussed the purchase at length.

Council discussed the issue at length and also considered hose and nozzle size.

PUBLIC COMMENT: Lou Potter, 64 Mohave Trail, strenuously objected to the purchase of the proposed vehicle. He asked Council to consider a state contract vehicle that could be used for wastewater and for storm water and would cost approximately the same as the one being considered.

Councilman Casey made a motion, seconded by Councilman Woodend, to approve Resolution 36-06.

VOTE TO APPROVE RESOLUTION 36-06

Ayes: Casey, Woodend

Nays: Wasson

Resolution 36-06 is approved

Councilman Casey introduced Resolution 49-06, seconded by Mayor Wasson.

**RESOLUTION 49-06
A RESOLUTION OPPOSING SENATE BILL S1219**

WHEREAS, Senator Robert Martin has sponsored Senate Bill 1219 concerning certain amendments to the Open Public Meetings Act (OPMA); and

WHEREAS, the governing body of the Borough of Medford Lakes obviously supports the principle that the public has a right to know what their government officials are doing; and

WHEREAS, Senate Bill 1219 imposes unreasonable fines and penalties for any violation of the Open Public Meetings Act (OPMA), and further imposes requirements of:

1. the recording of executive sessions; and
2. promotes overly long meetings; and
3. removes appropriate discretion from government officials including the management of meetings; and
4. imposes additional burdens of requirements upon sub-committee meetings; and
5. provides for the awarding of attorney fees only to a successful plaintiff but not to a public body if found not to have violated the law; and
6. requires that minutes be available within five (5) business days thereby creating undo hardship upon the office of the municipal clerk; and
7. requires local government to establish an internet site at the Municipal Building; and

WHEREAS, Senate Bill 1219 continues the unfair exemption provided to the legislative branch of State government by exempting the State government from the same requirement that Senate Bill 1219 would oppose on municipalities, counties, school districts, and authorities;

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 governing body does hereby oppose the adoption of Senate Bill 1219 for the reasons noted above; and
2. a copy of this Resolution be forwarded to the 8th Legislative District representatives and the New Jersey State League of Municipalities.

PUBLIC COMMENT: NONE

VOTE TO APPROVE RESOLUTION 49-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 49-06 is approved

Councilman Woodend introduced Resolution 50-06, seconded by Councilman Casey.

RESOLUTION 50-06

A RESOLUTION AUTHORIZING THE RENEWL OF AN AGREEMENT BETWEEN THE MEDFORD LAKES EMS SQUAD AND THE BOROUGH

WHEREAS, the Borough Council of the Borough of Medford Lakes adopted Ordinance Number 285 entitled An Ordinance Authorizing an agreement and lease between the Borough of Medford Lakes and Medford Emergency Squad, Inc. on March 14, 1991; and

WHEREAS, the aforementioned Ordinance provides that the lease authorized therein be renewed annually by the mutual agreement of the two parties; and

WHEREAS, it is the desire of the Borough Council of the Borough of Medford Lakes to renew the aforementioned agreement for a period of one year from the date of the expiration of the current agreement;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford lakes as follows:

1. the lease agreement, which is attached hereto and made part hereof, by and between the Borough of Medford Lakes and Medford Emergency Squad be and is hereby authorized to be renewed for the one year period from March 10, 2006 until March 31, 2007; and

2. the Mayor and Borough Clerk are hereby authorized and directed to affix their signatures and seal to any and all documents necessary as evidence of this approval.

Council and squad member Sandy Wasson agreed daytime coverage is a problem for Medford Lakes EMS personnel. Councilman Woodend is of the opinion that, within four or five years, the possibility exists of forming a municipal aid squad with members from Medford Lakes, Tabernacle, and Shamong.

Council directed Squad Chief Rosemary Countess to investigate whether or not Medford Township could automatically cover all daytime calls.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 50-06

Ayes: Casey, Woodend

Nays: None

Abstain: Wasson

Resolution 50-06 is approved

OLD BUSINESS

DAM RECONSTRUCION – DEP has not yet issued a decision about the fence on the dam.

Approval has been received from the Pinelands for the reconstruction of both Aetna Dams.

BUDGET – Mayor Wasson an Emergency Aid application, requesting aid in the amount of \$300,000.

OAKS HALL – a timetable has been established for the bid process. The plan is to have the bids go out on March 30, 2006, and to have a pre-bid meeting on April 4, 2006.

Council agreed to investigate geo-thermal heating and/or solar panels for the roof of the building.

EMPLOYEE HANDBOOK – Council members are in the process of reviewing the draft copy and will add comments or corrections.

NEW BUSINESS

WASTEWATER UNION – Manager Knight received a Recognition Agreement letter from the union.

CLERK'S TESTING - Manager Knight is in the process of completing classes to obtain his clerk's certificate. He will sit for the test on April 25, 2006. Council wished him well.

PLANNING BOARD – members of the Board have complained to Council about the lack of enforcement for building code violations.

Council directed Manager Knight to casually discuss the problem with Code Official Tom Heck, without "making waves."

CORRESPONDENCE

SCHOOL BOARD ELECTION – the school board election will be held on April 18, 2006. Residents will be electing members to fill three seats.

REPORTS

Councilman Casey advised he attended a preliminary audit meeting on March 30, 2006; at this time, everything is progressing satisfactorily.

Councilman Woodend reiterated that the squad contract was approved this date.

Mayor Wasson advised Council he will continue to abstain from votes concerning the squad.

Council discussed the ramifications of using e-mail in the Borough offices. The Open Public Records Act defines e-mails as a public record, the same as a letter.

Council directed Manager Knight to consider a specific policy for e-mail use by employees with regard to compliance with the Open Records Act.

PAYMENT OF BILLS

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

VOTE TO PAY BILLS

Ayes: Wasson, Casey, Woodend

Nays: None

Bill List is approved for payment

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

Respectfully submitted,

Richard Knight
Borough Manager

