

**BOROUGH OF MEDFORD LAKES**  
**REGULAR COUNCIL MEETING**  
**May 11, 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 Councilman Elect Paul Weiss.

**PUBLIC COMMENT**

*There was no public comment at this time.*

**APPROVAL OF MINUTES**

Councilman Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the Special Workshop Meeting of April 27, 2006.

VOTE TO APPROVE MINUTES FOR SPECIAL WORKSHOP

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Regular Council Meeting of April 27, 2006.

VOTE TO APPROVE MINUTES FOR REGULAR COUNCIL MEETING

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

Councilman Casey made a motion, seconded by Mayor Wasson, to approve the minutes of the Emergency Council Meeting of May 4, 2006.

VOTE TO APPROVE MINUTES FOR EMERGENCY COUNCIL MEETING

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

Councilman Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the May 5, 2006, Special Council Meeting.

VOTE TO APPROVE MINUTES FOR THE SPECIAL COUNCIL MEETING

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

**ORDINANCES**

There were no ordinances for discussion.

**RESOLUTIONS**

Councilman Woodend introduced Resolution 61-06, seconded by Councilman Casey.

**RESOLUTION 61-06**

**A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO PURCHASE A COMMAND VEHICLE UNDER STATE CONTRACT**

**WHEREAS**, the Fire Department of the Borough of Medford Lakes lost a command vehicle in the flood of July 12, 2004; and

**WHEREAS**, the Governing Body has agreed to replace the command vehicle using funds from the Borough's Insurance/Emergency Flood funds; and

**WHEREAS**, the Fire Department has identified the replacement command vehicle to be available through the State of New Jersey's Division of Purchase and Property program; and

**WHEREAS**, the Governing Body must authorize award of this contract by resolution and pursuant to law;

**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 Fire Department is authorized to purchase a replacement command vehicle from Warnock Fleet & Leasing, 175 Route 10, P.O. Box 524, East Hanover, NJ 07936 as identified as a 2006 Dodge Durango, 4 door/4wd with Rhino Bumper under STATE CONTRACT #A53130 for \$23,206.67.

Fire Chief Mark McIntosh explained the additional costs for outfitting the vehicle. The funds being used to buy the new vehicle are reimbursement monies from the insurance company to replace a fire vehicle lost in the flood.

VOTE TO APPROVE RESOLUTION 61-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 61-06 is approved

Mayor Wasson introduced resolution 65-06, which recognizes the accomplishments of Peg Knight, who has been named "Mother of the Year" by the New Jersey Association of American Mothers, Inc.

**RESOLUTION 65-06**

**A RESOLUTION RECOGNIZING PEG KNIGHT AS THE 2006 NEW JERSEY STATE MOTHER OF THE YEAR**

**WHEREAS**, the governing body of the Borough of Medford Lakes is proud to recognize Peg Knight for receiving the 2006 NJ State Mother of the Year Award from the New Jersey Association of American Mothers, Inc.; and

**WHEREAS**, Peg is bestowed this recognition for her achievements in the nursing profession, her volunteer efforts to numerous associations, and her tireless dedication to family issues throughout the State of New Jersey; and

**WHEREAS**, Peg has earned the respect of her family, peers and fellow citizens;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Medford Lakes hereby recognizes Peg Knight for her many accomplishments and her continued efforts to further the pledge of the American Mothers Organization.

**VOTE TO APPROVE RESOLUTION 65-06**

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 65-06 is approved

Mayor Wasson introduced Resolution 71-06, seconded by Councilman Casey.

**RESOLUTION 71-06**

**A RESOLUTION APPOINTING JOE ADAMSON TO THE REMAINDER OF AN UNEXPIRED TERM ON THE HISTORIC COMMISSION**

**WHEREAS**, a vacancy has occurred on the Historic Commission; and

**WHEREAS** the Borough has a need to fill the unexpired term of Eric Olandt a Class "C", two-year member whose term was January 1, 2005, to December 31, 2007, as appointed by Resolution 4-05; and

**WHEREAS**, the Governing Body has advertised in the Colony News for interested parties to apply; and

**WHEREAS**, the Mayor received interest from Joe Adamson a qualified resident;

**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. Joe Adamson of 71 Setauket Trail, Medford Lakes, NJ is appointed to the Historic Commission as a Class "C" member with a term to expire December 31, 2007.

VOTE TO APPROVE RESOLUION 71-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 71-06 is approved

Councilman Casey introduced Resolution 72-06, seconded by Mayor Wasson.

**RESOLUTION 72-06**

**A RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE AUDIT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2005**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Clerk of the Borough of Medford Lakes as per the requirements of N.J.S.A. 40A: 5-6 and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:2788-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed as a minimum, the section of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically, the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the requirements of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to wit:

R.S. 52:2788-52 - "A local official or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be find no more the one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office";

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Medford Lakes hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Council acknowledged the audit as the best in recent years. Councilman Casey congratulated Finance Officer Donna Condo and Manager Rich Knight for the job well done.

**VOTE TO APPROVE RESOLTUION 72-06**

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 72-06 is approved

Councilman Woodend introduced Resolution 73-06, seconded by Councilman Casey.

**RESOLUTION 73-06**

**A RESOLUTION SUPPORTING THE NATIONWIDE "BLUE RIBBON CAMPAIGN" AND NATIONAL POLICE WEEK OF MAY 14 TO MAY 20, 2006**

**WHEREAS**, the Congress and the President of the United States has designated May 15, 2006 as Peace Officers' Memorial Day, and the week in which May 15, 2006 falls as National Police Week; and

**WHEREAS**, the members of the law enforcement agency of the Borough of Medford Lakes play an essential role in safeguarding the rights and freedoms of the Borough of Medford Lakes; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS**, the men and women of law enforcement in the Borough of Medford Lakes unceasingly provide a vital public service;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that all citizens of the Borough to observe the week of May 14-20, 2006, as Police Week. Further, May 15, 2006, shall be dedicated as Peace Officers' Memorial Day to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

VOTE TO APPROVE RESOLUTION 73-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 73-06 is approved

Mayor Wasson introduced Resolution 74-06, seconded by Councilman Woodend.

**RESOLUTION 74-06**

**A RESOLUTION APPOINTING LOU POTTER TO AN UNEXPIRED TERM ON THE PLANNING/ZONING (LAND-USE) BOARD**

**WHEREAS**, a vacancy has occurred on the Planning Board; and

**WHEREAS**, the Borough has a need to fill the unexpired term of Mark Caira, Chairman, a Class "4", four year member whose term was January 1, 2003, to December 31, 2006, as appointed by Resolution #15-03; and

**WHEREAS**, Lou Potter is currently serving the Borough on the Planning Board as Alternate 1, with a two (2) year term from April 1, 2005 to December 31, 2007 as appointed by Resolution #34-05; and

**WHEREAS**, the Governing Body would like to fill the vacancy forthwith;

**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. Lou Potter, 64 Mohave Trail, Medford Lakes, NJ. is appointed to the Planning Board as a Class "4" member with a term to expire December 31, 2006.

VOTE TO APPROVE RESOLUTION 74-06

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 74-06 is approved

Council directed Manager Knight to advertise the vacancies on the Boards.

**OLD BUSINESS**

**DAMS** – The bid specs for both dams will be advertised Monday or Tuesday of next week. Manager Knight hopes for a bid opening on June 16, 2006. Both Dewberry and Alaimo are contacting contractors to advise them of the project in the hopes of soliciting more bids.

**FLOOD INSURANCE** – Federal flood insurance is required for the wastewater plant, which lies in a flood plain. Cost to the Borough will be \$22,522 per year. FEMA won't release reimbursement funds until the Borough shows proof of the required flood insurance.

Mayor Wasson made a motion, seconded by Councilman Woodend, to authorize Manager Knight to enter into an agreement for flood insurance for the wastewater plant.

**RESOLUTION 75-06**

**A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO SECURE FLOOD INSURANCE FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the Wastewater Treatment Plant of the Borough is located in a flood zone; and

**WHEREAS** the Borough has a need to insure the Wastewater Treatment Plant buildings from potential damage as the result of a flood; and

**WHEREAS**, Commerce Insurance Services has submitted a quote for flood insurance;

**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 Manager is authorized to enter into an agreement with Commerce Insurance Services for flood coverage as described and quoted in their May 8<sup>th</sup>, 2006, letter.

**VOTE TO APPROVE RESOLUTION 75-06**

Ayes: Wasson, Woodend

Nays: None

Abstain: Casey

Motion carries

**SEWER MAINTENANCE** – the final patch has been repaired on Hiawatha Trail, the item will be removed from the pending list.

**BULK TRASH COLLECTION** – Council agreed the bulk trash issue needs to be resolved prior to the printing of the school calendar.

Council directed Manager Knight to prepare a press release for the Colony News covering “bulleted advisories” concerning the bulk trash pickup and to e-mail it to Council for review.

**GRANT** – Manager Knight received a letter of approval for a Smart Grant in the amount of \$48,000.

**OAKS HALL** - Council rejected the first bid for the footings and foundation at the April 27, 2006, Regular Council Meeting. Council questioned whether or not they could go outside the bidding procedure if a second bid is rejected.

Council directed Solicitor Lange to research the question and to determine whether or not the Borough must seek a third bid.

Councilman Woodend made a motion, seconded by Councilman Casey, to modify the bid specs, to exclude time constraints and any changes as suggested by architect Rick Ragan.

**VOTE ON MOTION**

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

Council discussed hiring a full-time Borough employee to be the project's construction manager, rather than an hourly employee. They agreed with the need to advertise and solicit for a qualified person.

Council directed Manager Knight to obtain a job description for a "Clerk of the Works" and language for the proposed advertisement.

### **NEW BUSINESS**

There was no new business for discussion at this time.

### **CORRESPONDENCE**

Manager Knight advised the Clean Communities Day Community Drop-off of hazardous waste is Saturday, May 20, 2006, from 9:00am to noon.

Public Works employees will begin Storm water Management Training, given by Alaimo, on May 15, 2006.

### **REPORTS**

**MANAGER'S REPORT** - Manager Knight advised Council of the resignation of Patrolman Larry Yurkonis.

The new sewer vector has been in use for one month. As of this date, approximately 38,000 feet of sewer lines have been cleaned out.

DPW is experiencing problems with the rear loading trash truck.

**SOLICITOR'S REPORT** – Mr. Lange advised that a second special workshop meeting will be held prior to the next Regular Council Meeting on May 25, 2006, to discuss the employee handbook.

Mr. Lange continues to work on agreements for the proposed Bob Meyer inter-local agreement.

**COUNCIL'S REPORT** – Councilman Casey advised that updates have been made to the code book; it is now current through March and is on the Borough's web site.

*PUBLIC COMMENT: Joe Aromando asked if Council had voted an ordinance to accept the codification as law; it is not enforceable until an ordinance is adopted.*

### **PAYMENT OF BILLS**

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

Councilman Woodend questioned the bill from Cherry Valley for backhoe repairs.

Council directed Manager Knight to determine the facts concerning the bill.

Mayor Wasson advised his vote for approval would exclude PO # 06278, from which he will abstain.

VOTE TO PAY BILLS  
Ayes: Wasson, Casey, Woodend  
Nays: None  
Payment of bill list is approved

**PUBLIC COMMENT**

*Joanne Tragressor, 6 Minnetonka Trail, asked about the parameters of the noise ordinance. She is concerned about loud bands playing outside at P.J. Whelihan's during the summer.*

**ADJOURNMENT TO EXECUTIVE SESSION**

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

**RESOLUTION 76-06**

**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:

**JIM MADDEN CONTRACT**

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 -06 is approved

**RETURN TO REGULAR COUNCIL MEETING**

Mayor Wasson 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**

Mayor Wasson 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