

BOROUGH OF MEDFORD LAKES
DECEMBER 13, 2007

WORKSHOP SESSION

A Workshop 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 6:30pm. Mayor Casey presided.

In attendance were Mayor Casey, Councilman Weiss, Councilman Woodend, Deputy Clerk McIntosh, Solicitor Lange, Public Works Superintendent McCorrison, and Nancy Rodgers.

Council provided an overview of “the big picture” for spending in the Borough, to include trends, alternatives, and policies. They are trying to determine what each service costs the Borough and the individual homeowner.

Public Works Superintendent Pat McCorrison discussed shared services as a way to save money, including in the area of storm water, which will be an expensive program in the future. Disposing of wood and building materials is an increasing cost to the Borough, and costs will continue to increase.

Mr. McCorrison provided fact sheets to Council, explaining appropriated budget amounts and actual expenses for the public works department. Council had numerous questions and comments

Council discussed the categories that define work done by the Public Work’s employees. These include trash collection, leaf collection, brush collection, roadwork, assisting the Colony, and recycling.

Council directed Superintendent McCorrison to provide the following:

a breakdown of costs for labor for each of these work categories, by averaging employee compensation rates times the number of hours worked in each category;

a cost breakdown of other expenses incurred by Public Works;

a break down of landfill costs for regular trash and bulk trash; a

a breakdown of costs for curb trash pickup, curbside bulk trash pickup, and the Saturday trash drop off;

an indication of how much the Borough has saved by having a mechanic on staff.

In addition to the above, Council requested that:

CFO Condo be asked if \$55,000 transferred out of Public Works’ *Buildings & Grounds* line item was moved into the Oaks Hall project;

Superintendent McCorrison ask Medford Township about their leaf collection contractor, how the contract was created, and if bids were sought;

the Borough research having each homeowner pay for t he cost of their own leaf collection;

a determination is made as to how much of the Public Works’ budget is expended for leaf collection;

the Environmental Commission be involved in discussions of leaf collection and storm water issues

Council asked Mr. McCorrison to attend the first Regular Council Meeting in January, 2008, to continue their discussion with him.

REGULAR MEETING

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. Following the Pledge of Allegiance, Mayor Casey 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.

In attendance were Mayor Casey, Councilman Weiss, and Councilman Woodend. Also present were Solicitor Lange, Deputy Clerk McIntosh Public Works Superintendent McCorrison, and Nancy Rodgers.

Council and the public observed a moment of silence to honor those service men and women currently in harm's way overseas and at home.

APPROVAL OF MINUTES

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the November 8, 2007 Regular Council Meeting.

VOTE TO APPROVE MINUTES FOR NOVEMBER 8, 2007

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the November 29, 2007 Regular Council Meeting, with one spelling correction.

VOTE TO APPROVE MINUTES FOR NOVEMBER 29, 2007

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

WORKSHOP PORTION OF THE REGULAR COUNCIL MEETING

Mayor Casey introduced a change of format for meetings. Council will hold a business meeting, without voting or public comment, and will then open the meeting for public comment and voting. This new format may be amended during the next few weeks.

OLD BUSINESS

Councilman Woodend advised Council that Chief Martine wants to send Sgt. Dogostino to Internet Crime Technology training in January, rather than waiting until June as previously discussed. The summer training class would interfere with officer's vacation schedules, overtime, and scheduling coverage for the Borough.

Council directed Mr. McIntosh to ask Chief Martine to attend the next Regular Council meeting on Thursday, December 20, at 6:30pm, to further discuss the training.

REPORTS

MANAGER'S REPORT

Council discussed the broken pipe under Mishemokwa Trail; estimated repair cost is approximately \$170,000. Of this total, \$96,000 is labor and the balance is engineering fees and permit fees. Borough engineer Wayne Simpson does not think the break constitutes an emergency and repairs should not be funded as such.

Council directed Mr. McCorriston to meet with Wayne Simpson in an attempt to determine what percentage of the labor can be done by DPW employees in an effort to save money.

Council also asked that Mr. Simpson measure the dam and road to determine if it meets the DEP's requirements to be considered a dam, with all the accompanying restrictions.

The stain has been ordered and interior work should begin soon on Oaks Hall.

Mayor Casey, Mr. McIntosh, Chief Martine, and Allen Moore (MCS) met to develop bid specs for the voice/data contract.

Mr. McIntosh will next contact security vendors to develop bid specs for the security system, to include the special needs of the court and the police department.

Interim Manager McIntosh asked Council for a clarification on wording concerning overtime compensation in the new Policies and Procedures Book that was provided to employees this week.

Council directed Solicitor Lange to work with Manager McIntosh to reword the section and have it ready for the next Council meeting.

Council also asked for a breakdown of the total cost for each employee, to include salary, benefits costs, and the percentage of their recent raises.

The Borough's auditors will start preliminary work on Monday, December 17, 2007.

The New Jersey Department of Environmental Protection sent a letter to the Borough advising of a possible violation concerning an oil tank at the Public Works property. Their case file has never been closed. The Borough needs a No Further Action notification to close the case at NJDEP.

DPW employees helped the Lion's club remove all their items from the public works building. The plumbing and the electric have been re-routed. South Jersey Demo is preparing to tear down the structure between the garage bays and the firehouse.

SOLICITOR'S REPORT

Mr. Lange reported that, as of this date, the buildings on the Easi property have been cleared for demolition.

Solicitor Lange has been working to finalize the Executive Session minutes since January of 2006, when he became solicitor. He is currently half finished. He will give the completed minutes to Council in this meeting's Executive Session for their approval.

Mr. Lange is still in talks with Mrs. Latti with regard to the landscaping of her property following dam repairs.

Negotiations are still in progress with the wastewater union.

DISCUSSION OF PENDING RESOLUTIONS

Council discussed each resolution on the agenda, adding clarification and changes as needed.

153-07 Solicitor Lange reported he has not received a notification of appeal from former manager Rich Knight.

155-07 Council directed that the resolution awarding a professional services contract for a licensed wastewater operator be modified to reflect material terms of salary and hours.

The resolution was pulled from the agenda to allow for the changes.

158-07 Council discussed the additional compensation being approved in Resolution 158-07, for Code Official Tom Heck, an amount of \$900 for 2007 and \$900 for 2008. The wording will be amended.

COUNCIL COMMENTS

Council asked Interim Manager McIntosh to include in his written Manager's Report to Council the bullet points of the Action Plan that was devised to move projects along.

Council also directed Mr. McIntosh to list in his written Manager's report all highlighted items in the Council meeting minutes and note progress or status of each.

Council asked Mr. McIntosh to put the meeting agenda on the Borough's website 24 hours prior to the time of the meeting. It should include ordinances for discussion, and should be labeled "Preliminary and Subject to Change."

PUBLIC COMMENT

Code Official Dave Crane forwarded to Council a letter concerning a "paper trail" in the Borough that is being encroached on. He asked Council to consider a solution to the resulting neighbor dispute concerning the property.

Mrs. Jackie Cleaver, 169 Chippewa Trail, owns one of the two properties. She, her daughter, and son-in-law advised Council about the area that is used by pedestrians and bicyclists.

Council agreed the property should not be vacated if it is being used by the public.

Mrs. Cleaver told Council about how her neighbors, the Schmidlins, are using the property as their own. Their address is 165 Chippewa Trail.

Council asked that a current survey be provided and a determination made if the Schmidlins are encroaching on Borough property. DPW will survey the property to locate site markers.

James Cottingham, 202 Tabernacle Road, stated he had previously asked Council to see what the effluent contains that flows into the stream near the plant. This has not been done as of this date. He again asked that it be done before an agreement is reached with the Medford Lakes Country Club for their use of the effluent. Mr. Cottingham is concerned with the possible contamination of wells in the area.

Council directed Mr. McIntosh to have Interim Wastewater Superintendent Carl Goodfellow provide costs for testing the water quality of the effluent and determine a baseline.

BUSINESS PORTION OF THE REGULAR MEETING

RESOLUTIONS

Mayor Casey introduced Resolution 153-07, seconded by Councilman Woodend, with an amendment.

**RESOLUTION 153-07
A RESOLUTION PURSUANT TO 40:69A-93 FOR FINAL REMOVAL**

WHEREAS, Richard J. Knight is currently the Borough Manager for the Borough of Medford Lakes; and

WHEREAS, Mr. Knight was suspended from duty by Resolution 142-07 on November 8, 2007; and

WHEREAS, members of Council have a general lack in confidence in the Borough Manager's ability to perform the essential duties of the office; and

WHEREAS, Mr. Knight did not reply in writing nor request a Public Hearing;

NOW, THEREFORE, BE IT RESOLVED by Borough Council as follows: Borough Manager Richard J. Knight is hereby removed from his position pursuant to N.J.S.A. 40:69A-93.

VOTE TO APPROVE RESOLUTION 153-07

Ayes: Casey, Woodend

Nays: Weiss

Resolution 153-07 is approved

Mayor Casey introduced Resolution 154-07, seconded by Councilman Woodend.

**RESOLUTION 154-07
A RESOLUTION APPOINTING DONNA A. CONDO TO THE SOUTHERN NEW JERSEY REGIONAL BENEFITS FUND**

WHEREAS, the Borough of Medford Lakes has authorized its participation in the Southern New Jersey Regional Employee Benefits Fund; and

WHEREAS, it is necessary for the Borough Council to appoint a Representative to the Southern New Jersey Regional Employee Benefits Fund; and

WHEREAS, it is the desire of the governing body to appoint Donna A. Condo, CMFO as the representative to the Southern New Jersey Regional Employee Benefits Fund;

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. Donna A. Condo, CMFO is hereby appointed as the Representative for the Borough of Medford Lakes to the Southern New Jersey Regional Employee Benefits Fund; and
2. a certified copy of this resolution be forwarded to the Administrator for the Southern New Jersey Regional Employee Benefits Fund.

VOTE TO APPROVE RESOLUTION 154-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 154-07 is approved

Councilman Woodend made a motion, seconded by Mayor Casey, to direct the Medford Lakes Environmental Commission to study all methods of collecting leaves and to have Mayor Casey be the liaison.

RESOLUTION 155-05

A RESOLUTION REQUESTING THE ENVIRONMENTAL COMMISSION TO EVALUATE THE CURRENT BOROUGH LEAF COLLECTION PROGRAM, INVESTIGATE ALTERNATIVES, AND REPORT BACK TO COUNCIL

WHEREAS, the Borough of Medford Lakes is required to follow established storm water management and controls, consistent with N.J.A.C. 7:8 and Borough Ordinance No. 533; and

WHEREAS, Borough Council would like to have the Medford Lakes Environmental Commission evaluate the current leaf collection program as administered by the Public Works Department; and

WHEREAS, Borough Council requests that the Environmental Commission investigate alternatives within the leaf collection program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, Burlington County, and State of New Jersey that the Environmental Commission is hereby directed to evaluate the current borough leaf collection procedures and report their findings to Council.

A copy of this resolution shall be provided to the Environmental Commission.

VOTE TO APPROVE RESOLUTION 155-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 155-07 is approved

Mayor Casey introduced Resolution 156-07, seconded by Councilman Woodend.

RESOLUTION 156-07

A RESOLUTION APPOINTING A MEMBER TO A CLASS II VACANCY ON THE PLANNING BOARD AND TO APPOINT A CLASS IV HISTORIC REPRESENTATIVE TO THE PLANNING BOARD

WHEREAS, the Planning Board has a vacancy for a Class Two (2) member to expire on December 31, 2010; and

WHEREAS, a current Class Four (4) member David Crane is willing to transfer to the vacant position and meets the qualifications; and

WHEREAS, this transfer creates a vacancy in a Class Four (4) position with additional duties as the Historic Commission representative to the Planning Board; and

WHEREAS, Joe Adamson a Class "C" member of the Historic Commission has expressed interest and is qualified to fulfill the vacant Class Four (4) Historic Representative position on the Planning Board;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the following appointments be made to the Planning Board:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
David Crane	Class 2 Borough Official	December 13, 2007	December 31, 2010
Joe Adamson	Class 4 Historic Rep	December 13, 2007	December 31, 2008

VOTE TO APPROVE RESOLUTION 156-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 156-07 is approved

Mayor Casey introduced Resolution 157-07, seconded by Councilman Weiss.

RESOLUTION 157-07

A RESOLUTION AUTHORIZING CERTAIN BUDGETARY TRANSFERS FOR THE 2007 BUDGET

WHEREAS, The Governing Body of the Borough of Medford Lakes did adopt a budget for the year 2007 in accordance with the Municipal Budget Law (NJSA 40A-4 et seq) ; and

WHEREAS, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

WHEREAS, NJSA 40A:4-58 allows for the transfer of funds among line items of an adopted municipal budget during the last two months of the fiscal year;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that the Chief Financial Officer of the Borough of Medford Lakes is hereby authorized to make the transfers as listed below among the various line items:

TRANSFER FROM:	Adm. & Executive O.E.	(7-01-20-101-201)	\$ 4,000.00
	Clerk O.E.	(7-01-20-120-298)	5,000.00
	Data Processing O.E.	(7-01-20-140-241)	2,500.00
	Historic Preservation OE	(7-01-20-175-201)	100.00
	Insurance - General Liab.	(7-01-23-210-000)	2,000.00
	Insurance – Group	(7-01-23-220-000)	5,000.00
	Insurance – Surety Bonds	(7-01-23-228-000)	1,500.00
	Public Works – O.E.	(7-01-26-300-201)	6,000.00
	Vehicle Maint – O.E.	(7-01-26-215-202)	5,000.00
	Postage	(7-01-31-461-000)	3,000.00
	Social Security	(7-01-36-472-000)	\$5,000.00
		TOTAL	\$35,100.00

TRANSFER TO:	Clerk S & W	(7-01-20-120-101)	\$ 1,500.00
	Legal Services	(7-01-20-155-240)	3,000.00
	Engineering Services	(7-01-20-165-244)	15,000.00
	Historic Pres. S & W	(7-01-20-175-101)	100.00
	Planning Board O.E.	(7-01-21-180-201)	2,500.00
	Public Works S & W.	(7-01-26-300-101)	6,000.00
	Unclassified – Electric	(7-01-31-430-000)	2,500.00
	Sanitation S & W. OT	(7-01-32-465-102)	3,000.00
	Mun. Court – S & W.	(7-01-43-490-101)	1,500.00
		TOTAL	\$35,100.00

SEWER UTILITY

TRANSFER FROM:	Salaries and Wages	(7-07-55-501-101)	\$ 4,000.00
	Social Security	(7-07-55-501-301)	<u>6,000.00</u>
	TOTAL		\$10,000.00
TRANSFER TO:	Other Expenses	(7-07-55-501-201)	<u>\$10,000.00</u>
	TOTAL		\$10,000.00

VOTE TO APPROVE RESOLUTION 157-07
 Ayes: Casey, Weiss, Woodend
 Nays: None
 Resolution 157-07 is approved

Mayor Casey introduced Resolution 158-07, seconded by Councilman Woodend.

RESOLUTION 158-07

A RESOLUTION AWARDING ADDITIONAL COMPENSATION TO THE CONSTRUCTION OFFICIAL

WHEREAS, the Construction Official has requested additional compensation for work outside his normal duties related to the Oaks Hall Municipal Building project; and

WHEREAS, it is the desire of Borough Council to compensate the Construction Official; and

WHEREAS, Borough Council would like to immediately award additional compensation in the amount of \$900.00 to Construction Official Tom Heck for work completed during the year 2007, and to appropriate an additional \$900.00 in the year 2008 budget to be awarded after construction and rough inspections are completed at the Oaks Hall Municipal Building;

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 Chief Financial Officer is authorized to issue additional compensation in the amount of \$900.00 to Construction Official Tom Heck for additional work completed in the year 2007; and
2. a certified copy of this Resolution is to be forwarded to the Chief Financial Officer, Payroll Clerk and Mr. Heck.

VOTE TO APPROVE RESOLUTION 158-07
 Ayes: Casey, Woodend
 Nays: Weiss
 Resolution 158-07 is approved

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS
 Ayes: Casey, Weiss, Woodend
 Nays: None
 Motion carries

ADJOURNMENT TO EXECUTIVE SESSION

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

**RESOLUTION 159-07
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. the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session are:

four professional contracts to include Alaimo, Dewberry, 1868 Public Affairs and Ragan; and potential litigation with the former manager; and potential candidate for manager; and
2. 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. 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 AJOURN TO EXECUTIVE SESSION

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned to Executive Session

RETURN TO REGULAR MEETING

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

No official action was taken when Council returned to the Regular Meeting.

VOTE TO RETURN TO THE REGULAR MEETING

Ayes: Casey, Weiss, Woodend

Nays: None

Council returned to the Regular Meeting

ADJOURNMENT

Mayor Casey made a motion, seconded by Councilman Weiss, to adjourn the meeting.

VOTE TO ADJOURN

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned

