

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
JUNE 28, 2007**

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 and Councilman Woodend. Also present were Manager Knight, Deputy Clerk McIntosh, and Solicitor Lange. Councilman Weiss was unable to attend.

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

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Casey made a motion, seconded by Councilman Woodend, to remove from the table the minutes for the May 24, 2007 Regular Council meeting.

VOTE ON MOTION
Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Motion carries

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes for the May 24, 2007 Regular Council meeting, with one correction.

VOTE TO APPROVE MINUTES
Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Motion carries

ORDINANCES

Mayor Casey introduced Ordinance 536, seconded by Councilman Woodend, on First Reading.

ORDINANCE 536

AN ORDINANCE GRANTING AN EASEMENT TO THE MEDFORD LAKES COLONY FOR RECREATIONAL PURPOSES PURSUANT TO N.J.S.A. 40A:12-21(k)

WHEREAS, the Borough of Medford Lakes owns property which is part of the Hiawatha Trail right of way and adjacent to Medford Lakes Colony Beach No. 3, described in attached legal description and survey; and

WHEREAS, said property is part of the municipal right-of-way and not part of the present cart-way and is without any capital improvement thereon; and

WHEREAS, the Borough is desirous of allowing said property to be used as part of Medford Lakes Colony Beach No. 3; and

WHEREAS, the Borough Council takes no position on any application for any approvals that may be required by the proposed development by Medford Lakes Colony;

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the Borough does hereby approve the granting of an easement for use of said property by the Medford Lakes Colony; and

BE IT FURTHER ORDAINED that if said lands are not used for recreation, all rights thereto shall revert to the Borough.

VOTE TO APPROVE ORDINANCE 536 ON FIRST READING

Ayes: Casey, Woodend

Nays: None

Absent: Weiss

Ordinance 536 is approved on First Reading

Council discussed the easement and the survey, and made a working change, which Solicitor Lange will incorporate.

CONSENT AGENDA RESOLUTIONS

“Consent Agenda” items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported with a Certification of Availability of Funds from the Chief Financial Officer; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

Mayor Casey introduced Resolution 102-07, seconded by Councilman Woodend.

RESOLUTION 102-07

A RESOLUTION AUTHORIZING THE SECOND-HALF REFUND OF A PLUMBING AND STREET OPENING PERMIT FOR 41 BASSELER ROAD, ALSO KNOWN AS BLOCK #20011, LOT #266-267, IN THE AMOUNT OF \$750.00

WHEREAS, on certain occasions a maintenance bond is required between a contractor and the Borough of Medford Lakes; and

WHEREAS, once the requirement causing the need for the bond is met by the contractor there is on occasion a balance left in the account due the contractor; and

WHEREAS, on June 21, 2007, the Construction Official authorized the refund of all bonds that were no longer required to be kept;

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 applicant receive a refund of their maintenance bond:

| <u>APPLICANT</u> | <u>AMOUNT OF REFUND</u> | <u>PROJECT ADDRESS</u> |
|--|-------------------------|------------------------|
| Donald P. Way 41 Basseler Road Medford Lakes, NJ 08055 | \$750.00 | 41 Basseler Road |

VOTE TO APPROVE RESOLUTION 102-07

Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Resolution 102-07 is approved

RESOLUTIONS

Mayor Casey introduced Resolution 92-07, seconded by Councilman Woodend.

RESOLUTION 92-07

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE RENEWAL OF A CLUB ALCOHOLIC BEVERAGE LICENSE TO THE MEDFORD LAKES COUNTRY CLUB

WHEREAS, Medford Lakes Country Club has duly complied with the requirements of the State law relative to the renewal of a Retail Liquor License; and,

WHEREAS, the Chief of Police has advised Council that, following his investigation, there have been no problems associated with the retail license; and,

WHEREAS, said Medford Lakes Country Club is known by the Mayor and Council to be a fit and competent party to receive a license;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey that, upon payment by the Medford Lakes Country Club to the Chief Finance Officer of the fee provided by Ordinance, the Borough Clerk is hereby authorized and directed to issue and deliver unto said Medford Lakes Country Club license #321-31-002-002. The license to be named therein is Medford Lakes Country Club. The location of the licensee's premises is Medford Lakes Country Club, 70 Oak Drive, Medford Lakes, New Jersey. The license shall be effective July 1, 2007. The license shall run until June 30, 2008, unless revoked prior thereto for cause.

VOTE TO APPROVE RESOLUTION 92-07

Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Resolution 92-07 is approved

The members of Council voted under the **DOCTRINE OF NECESSITY**.

Mayor Casey introduced Resolution 100-07, seconded by Councilman Woodend.

RESOLUTION 100-07

A RESOLUTION AMENDING RESOLUTION NUMBER 1-07, A RESOLUTION FOR THE ESTABLISHMENT OF SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2007

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; and

WHEREAS, the governing body has a need to amend the original schedule;

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 amended 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 **Amendment Notice** of the schedule of meetings to be held during the calendar year 2007. All meetings (unless noticed) will commence at 7:30 PM prevailing time, in Denby Annex, Vaughn Hall, 79 Tecumseh Trail on the following dates:

| <u>ORIGINAL DATE</u> | <u>AMENDED DATE</u> |
|----------------------|---------------------|
| JULY 12, 2007 | JULY 5, 2007** |
| JULY 26, 2007 | JULY 19, 2007** |
| AUGUST 9, 2007 | AUGUST 2, 2007 |

*Unless Otherwise Specified Official Action may be taken at These Meetings.

** Commencing at 6:30pm

VOTE TO APPROVE RESOLUTION 100-07

Ayes: Casey, Woodend

Nays: None

Absent: Weiss

Resolution 100-07 is approved

Mayor Casey introduced Resolution 101-07, seconded by Councilman Woodend.

RESOLUTION 101-07

A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, BURLINGTON COUNTY NEW JERSEY, APPROVING A CORRECTIVE ACTION PLAN IN CONJUNCTION WITH THE 2006 AUDIT RECOMMENDATIONS AND COMMENTS

WHEREAS, the chief financial officer has submitted her recommended Corrective Action Plan relative to the 2006 Municipal Audit; and

WHEREAS, State statutes require the adoption of a corrective action plan within 60 days of the receipt of the municipal audit; and

WHEREAS, it is the desire of the Governing Body of the Borough of Medford Lakes to approve such Corrective Action Plan;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Medford Lakes, Burlington County, and State of New Jersey that the attached corrective action plan as prepared by the Chief Financial Officer is hereby approved; and

BE IT FURTHER RESOLVED that a certified copy of this resolution and the Corrective Action Plan be forwarded to the Division of Local Government Services, Bureau of Financial Regulation and Assistance, PO Box 803, Trenton, NJ, 08625.

VOTE TO APPROVE RESOLUTION 101-07

Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Resolution 101-07 is approved

Mayor Casey introduced Resolution 103-07, seconded by Councilman Woodend.

RESOLUTION 103-07

A RESOLUTION ADOPTING A CONTRACTUAL AGREEMENT WITH THE MEDFORD LAKES POLICE DEPARTMENT SUPERIOR OFFICERS' ASSOCIATION

WHEREAS, a contractual agreement between the Borough of Medford Lakes and the Superior Officers' Association has been reached; and

WHEREAS, the members of the Superior Officers' Association have voted to accept the terms and conditions included in the December 7, 2006, agreement which correspondence is attached hereto and made part hereof; and

WHEREAS, the Borough Council of the Borough of Medford Lakes deems it in the best interest of the Borough to adopt the proposed agreement;

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 contractual agreement with the Medford Lakes Superior Officers' Association shall and is hereby adopted retroactively effective to January 1, 2004; and
2. the Borough Manager is hereby authorized and directed to execute any and all further documents necessary to effectuate the agreement

VOTE TO APPROVE RESOLUTION 103-07

Ayes: Casey, Woodend
Nays: None
Absent: Weiss
Resolution 103-07 is approved

OLD BUSINESS

DAM RECONSTRUCTION – the roller compacted concrete on Lower Aetna is complete. By Tuesday, July 3, 2007, all the roller compacted concrete is expected to be completed. Work on the roadway over the Beach Drive dam will then begin.

Before the lakes can be filled, the EAP must be approved (which it has), the dams need to be completed, and a decision must be made concerning the spillway and lagoon at the Latti property. Mrs. Latti advised Council she was under the impression it would be returned to a working spillway.

The Colony owns the spillway, but is not interested in maintaining it. However, Colony president Sara Plasha will have the board make a determination as to whether or not they will maintain the property. She will also find out from the Colony's engineer, Princeton Hydro, what their position is about the spillway. The next Colony Board Meeting is Monday, July 2, 2007, at 7:30pm in the Colony office.

Debby Klemas, a member of the Planning Board, advised that any impact to the wetlands area must go through the Pinelands if renovation of the spillway is not in the original plans.

Council directed Manager Knight to research what was decided at previous meetings concerning the spillway.

Council directed Mr. Knight to get a determination as to how long it would take to re-do the spillway.

Council directed Mr. Knight to provide a copy of the design for the spillway to Mrs. Latti.

Council directed Solicitor Lange to draft an easement for the next Council meeting in the event that is the direction Council takes.

Council hopes to resolve the issue at the next Regular Meeting on July 5, 2007, at 6:30pm..

OAKS HALL – windows were ordered Tuesday, June 26, 2007; until they can be installed, the openings have been covered over.

Manager Knight is awaiting quotes for the log staining. The quote should include cost of the materials and the cost of brushing on the first coat.

Mr. Knight will prepare the RFP for the site design, using the engineer's design.

REPORTS

MANAGER – meetings for July have been changed to the first and third Thursdays, the 5th and the 19th.

Mr. Knight reported the Borough's large trash pickup will change from Fridays to Mondays on July 2, 2007. Notices have appeared in the Colony News.

It is doubtful the Borough will receive any extraordinary aid from the State this year; the 2007 budget will have to be revisited.

Council discussed FEMA deadlines for flood recovery reimbursements. CFO Condo is working on a possible assessment plan should the Borough not receive the extraordinary aid.

Mr. Knight has not received a decision from Alaimo concerning Northeast Remsco's request for an extension of the contract deadline for completion of the dams.

The Borough's waste water department has man power problems. Also, DPW foreman Sam Hinchman will be out following carpal tunnel surgery and is planning to retire early in 2008.

Council directed Manager Knight to obtain information from the department heads concerning personnel, disability, and leave issues.

Council discussed the patio cover planned for PJ Whelihan's on Stokes Road

Council directed Manager Knight to discuss it with Code Official Heck and ask if the restaurant needs a variance to proceed.

SOLICITOR – Mr. Lange reported three tax appeal cases have been heard. One applicant withdrew his appeal, one was awarded a small reduction, and one assessment was left unchanged.

The buildings on the Easi property at the corner of Lenape Trail and Stokes Road will be demolished no later than November 1, 2007. If not done so by the owner by that date, the Borough will demolish the buildings and put a lien on the property.

Council discussed the wording of the agreement between the Borough and the Easi family.

Council directed Solicitor Lange to draft alternate language and attempt to have it approved by everyone.

PUBLIC SAFETY – Councilman Woodend advised the EMS daytime coverage arrangement with Medford Township appears to be working without apparent problems.

ADMINISTRATION – the certified clerk's position needs to be filled sooner than later. Tabernacle clerk La Shawn Ruffin is being considered. She would, in effect, be the Borough's part-time certified clerk, while Deputy Clerk McIntosh and Manager Knight would continue to do most of the work. She would sign items when needed and have ultimate responsibility for the clerk's work.

Mayor Casey will speak with Tabernacle Manager Doug Kramer concerning Ms. Ruffin's part-time position with the Borough.

PUBLIC WORKS – Superintendent McCorriston has not yet obtained the quotes for redirecting the utilities in the building to be demolished.

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Woodend

Nays: None

Absent: Weiss

Bill List is approved for payment

ADJOURNMENT

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Woodend

Nays: None

Absent: Weiss

Meeting adjourned at 10:10pm