

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
MARCH 22, 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 7:35pm. Following the Pledge of Allegiance, Councilman Woodend 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 Councilman Paul Weiss and Councilman Gary Woodend. Also present were Deputy Clerk Mark McIntosh and Solicitor Peter Lange. Mayor Casey was unable to attend; Councilman Woodend chaired the meeting. Manager Rich Knight arrived late due to a problem at the municipal trailer and missed the Public Comment, Approval of Minutes, and Resolutions.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, asked Council about the Borough's re-valuation of property, to more fairly tax property owners. A property re-assessment is not budgeted for 2007.

Walt Lyons, 164 Cheyenne Trail, asked Council about Cheyenne Trail, which has been blocked for days due to a large pot hole. DEP has to permit the repairs, which will then have to be bid.

APPROVAL OF MINUTES

Councilman Woodend made a motion, seconded by Councilman Weiss, to approve the minutes for the March 8, 2007 Regular Council Meeting, with corrections.

VOTE TO APPROVE MINUTES

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Minutes are approved

RESOLUTIONS

Councilman Woodend introduced Resolution 54-07, seconded by Councilman Weiss.

RESOLUTION 54-07

A RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT BETWEEN THE BOROUGH OF MEDFORD LAKES AND MEDFORD EMERGENCY SQUAD, INC., T/A MEDFORD LAKES EMERGENCY SQUAD, INC., REGARDING EMERGENCY MEDICAL SERVICES

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:

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 April 1, 2007 until March 31, 2008; and

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.

Councilman Woodend offered changes for the wording of the contract on certain issues.

VOTE TO APPROVE RESOLUTION 54-07

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Resolution 54-07 is approved

Councilman Woodend introduced Resolution 55-07, seconded by Councilman Weiss.

RESOLUTION 55-07

A RESOLUTION AWARDING A FAIR AND OPEN CONTRACT TO MACROSE CONTRACTORS, INC., FOR EMERGENCY SEWER REPAIR SERVICES

WHEREAS, the Borough of Medford Lakes, pursuant to public contract law, received bids for emergency sewer repair services Contract No. 2006-2; and

WHEREAS, MacRose Contractors, Inc. was the lowest responsible bidder received by the Borough; and

WHEREAS, the bid of MacRose Contractors, Inc. complied with the bid specifications as prepared by the Borough; and

WHEREAS, the CFO certifies that funds would be made available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Medford Lakes this 22 day of March 2007, that MacRose Contractors, Inc., 85 Ridge Road, Browns Mills, NJ, 08015, be and hereby is awarded the contract for Emergency Sewer Repair Services; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract as proposed and included in the Borough's bid package and any other related documents with MacRose Contractors, Inc., in order to complete said Contract.

VOTE TO APPROVE RESOLUTION 55-07

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Resolution 55-07 is approved

Councilman Woodend introduced Resolution 56-07, seconded by Councilman Weiss.

RESOLUTION 56-07

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. The Municipal Court Account and Municipal Court Bail Account of the Borough of Medford Lakes, shall require the signature of the Court Administrator. In the absence of the Court Administrator, the Deputy Court Administrator or Municipal Court Judge shall sign.
- D. 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.

VOTE TO APPROVE RESOLUTION 56-07

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Resolution 56-07 is approved

Councilman Woodend introduced Resolution 57-07, seconded by Councilman Weiss.

RESOLUTION 57-07

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR APPROPRIATION RESERVE ACCOUNTS

WHEREAS, NJSA 40A4-59 states that if, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized to said appropriation and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such budget deemed to be insufficient to fulfill its purpose or for which no reserve is provided; and

WHEREAS, the Chief Financial Office has indicated that there are two budget line-items wherein there is not a sufficient reserve to pay bills deemed to be necessary to fulfill its purpose, and

WHEREAS, the Chief Financial Officer also has indicated that there is sufficient excess appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose to cover those two budgets that have insufficient reserves; and

WHEREAS, the governing body wishes to approve such budget transfers as authorized by NJSA 40A4-59 and recommended by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Medford Lakes, that the following budget transfers are hereby approved for the following 2006 Appropriation Reserves:

TRANSFER FROM:

A & E O.E. \$ 2,500

TRANSFER TO:

Planning Board O.E. \$ 2,500

(Funds needed to cover the Darpino Litigation)

AND, BE IT FURTHER RESOLVED that a copy of this resolution be forward to the Chief Financial Officer upon adoption.

VOTE TO APPROVE RESOLUTION 57-07

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Resolution 57-07 is approved

Manager Knight arrived at this time.

OLD BUSINESS

DAM RECONSTRUCTION – a Public Meeting will be held concerning the progress of the dams on April 26, 2007, in Vaughan Hall. Currently, the work involves excavating and leveling, with concrete to follow. The project engineer reports that the reconstruction is on schedule. The DEP receives monthly progress reports from Dewberry Engineering.

OAKS HALL – the first truckload of logs has been delivered to the site. Two more loads will follow. Manager Knight expects a crew from log manufacturer Heartbilt to be on site on Monday, March 26, 2007, to start construction. Heartbilt and roof manufacturer D.A. Nolt are working together to coordinate the erection of the shell and the roof.

Borough Code Official Tom Heck has issued the permit for the log shell and will soon be issuing the permit for the roof.

POLICIES & PROCEDURES HANDBOOK – Council will meet at a workshop session at 6:30pm, prior to the regular Meeting on April 5, 2007. The agenda will be to finalize the handbook with plans to adopt.

NEW BUSINESS

COURT ADMINISTER'S POSITION – the last working date for current court administer Rosa Henry is Friday, March 30, 2007. Shamong Court Administer Cheryl Beaumont has agreed to fill in as needed for an hourly fee, if she receives approval from Shamong's Council.

Manager Knight advised Council he hopes the fill-in will not be for longer than 60 days. Mr. Knight is preparing a proposal document, for Council's pre-approval, to be sent to Superior Court Judge Sweeney, listing all components of a possible agreement with Medford Township for the use of their courtroom and court staff. Mr. Knight will advertise for the position, should Judge Sweeney's decision not be immediate.

Councilman Woodend made a motion, seconded by Councilman Weiss, to authorize the manager to enter into an agreement with Cheryl Beaumont to provide temporary court administrator services at a rate of \$25.00 per hour and to have the manager advertise for a permanent administrator.

RESOLUTION 58-07

A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR COURT ADMINISTRATOR SERVICES WITH SHAMONG TOWNSHIP

WHEREAS, the Township of Shamong employs Cheryl Beaumont as Court Administrator; and

WHEREAS, the Borough of Medford Lakes is in need of a temporary Court Administrator; and

WHEREAS, the Township of Shamong is agreeable to providing the service of temporary Court Administrator; and

WHEREAS, the Township of Shamong agrees to provide temporary Court Administrator Services to the Borough of Medford Lakes on the terms and conditions in this agreement;

NOW, BE IT RESOLVED that the Borough of Medford Lakes authorizes the manager to enter into an agreement for court administrator services with Shamong Township:

Cheryl Beaumont will be the temporary Court Administrator; and

the temporary court administrator will be compensated at \$25.00 hour.

VOTE TO APPROVE RESOLUTION 58-07

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Resolution 58-07 is approved

REPORTS

MANAGER

Dams - Mr. Knight continues to work toward obtaining FEMA reimbursements for dam reconstruction expenditures. Councilman Weiss outlined three areas in which the Borough could pursue the reimbursements:

1. the Borough needs someone in an administrative capacity to manage the paperwork and documentation going to FEMA; and
2. "advocate for the Borough in the political or legal arena" is germane to those matters where FEMA has determined the Borough is not eligible for public assistance,
3. to the extent that the Borough can lobby the State to convert the debt into grants through loan forgiveness – this would be a way to deal with the issue of FEMA not reimbursing the Borough for costs but through the State level. Converting the debt to grants would require legislation;

Manager Knight and CFO Condo are preparing a flood recovery/dam reconstruction report for the Public Meeting on April 26, 2007 at Vaughan Hall.

Nantucket Trail– repair work is scheduled to begin the week of April 4, 2007, with a repair cost estimate of under \$17,000.

Cheyenne Trail – Manager Knight is waiting for the engineer's estimate for the repairs. He will meet with a representative of Princeton Hydro on March 23, 2007, to discuss their ability to repair the pothole.

Budget – the Borough's application for extraordinary aid has been forwarded to the State Department of Consumer Affairs.

SOLICITOR

Tabernacle Road Bridge - Mr. Lange spoke to a representative from the Burlington County Highway Department about the problems on the Tabernacle Road bridge. They guaranteed they would repair the bridge within the next two weeks and will repave the bridge after the dams are completed. Solicitor Lange asked to be notified when the dams are complete so he can advise the County.

Storm Water Retention – the Planning Board will review the Storm Water Management Plan at their April meeting. The Pinelands may want revisions to the plan prior to it's being approved.

Easi - Mr. Lange is continuing to pursue a court ordered demolition of the buildings on the property.

PUBLIC SAFETY

Banquets – both the fire department and the emergency squad hosted very successful and enjoyable banquets during two separate weekends in March.

EMS Services – the dual coverage service with Medford Township seems to be working well.

PUBLIC WORKS

Councilman Weiss has scheduled a meeting with employees from both Wastewater and Public Works for March 30, 2007, as part of his continuing effort to keep communication open with the departments.

PAYMENT OF BILLS

Councilman Woodend made a motion, seconded by Councilman Weiss, to pay the bills listed on the Bill List.

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Weiss, Woodend

Nays: None

Absent: Casey

Bill List is approved for payment

ADJOURN TO EXECUTIVE SESSION

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

RESOLUTION 59-07

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:

the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session is Madden litigation; and

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; and

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: Weiss, Woodend
Nays: None
Absent: Casey
Meeting adjourned

RETURN TO REGULAR COUNCIL MEETING

Councilman Woodend made a motion, seconded by Councilman Weiss, to return to the Regular Council Meeting. No official action will be taken.

VOTE TO RETURN TO REGULAR COUNCIL MEETING

Ayes: Weiss, Woodend
Nays: None
Absent: Casey
Motion carries

ADJOURNMENT

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

VOTE TO ADJOURN

Ayes: Weiss, Woodend
Nays: None
Absent: Casey
Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

