

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
APRIL 10, 2008**

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 Demby Annex of the Medford Lakes Colony, beginning at 6:30pm. Mayor Casey presided. The agenda for the meeting was to discuss the Borough's sign ordinance. This meeting was held in compliance with N.J.S.A. 10:4-6.

In attendance were Mayor Casey, Councilman Weiss, Councilman Woodend, Manager Urbanik, and Clerk McIntosh.

The Borough's sign ordinance, #510, requires that for sale signs be removed after 45 days. At the present time, it is not being enforced; Councilman Woodend proposed that the time limit for the signs be removed from the ordinance. Council discussed the issue and also how to prevent signs from being placed lakefront.

Council decided to remove the 45 day time limit from the ordinance and require signs to be removed 48 hours following the sale of the house. They also determined regulations for lake front signage, to be included in an ordinance to amend #510.

Code official Dave Crane will forward a letter to the local realtors advising them that, beginning May 1, 2008, signs not 10 feet back from the roadway will be impounded. Also, pamphlet boxes must comply with the 10-foot regulation.

ADJOURNMENT TO EXECUTIVE SESSION

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

**RESOLUTION 68-07
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 the W.J. Gross contract and the EMS contract; 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; and
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 at 7:00pm

RETURN TO REGULAR MEETING

Councilman Woodend made a motion, seconded by Mayor Casey, to return to the Regular Council meeting.

VOTE TO RETURN TO THE REGULAR MEETING

Ayes: Casey, Weiss, Woodend

Nays: None

Council returned to the Regular Meeting

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 Demby 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 Manager Urbanik, and Clerk McIntosh.

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 March 1, 2008, Budget Meeting.

VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Budget Minutes are approved

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the March 27, 2008, Regular Meeting.

VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Regular Minutes are approved

WORKSHOP PORTION OF THE REGULAR COUNCIL MEETING

REPORTS

MANAGER'S REPORT – Mr. Urbanik advised Council he needs three change orders for work on Oaks Hall.

The proposed attic stairway will not operate as planned due to lack of space. Change Order 9/10 would allow for the installation of two metal pull-down stairways, each 30" wide, one on the administration side and one on the police department side. The stairs must adhere to OSHA standards. The two stairways will cost \$11,919.00.

Change Order 11 would approve relocation of a door on the police department side, including the electric work.

Change order 12 approves funds for chinking at the bottom of the log walls where they meet the foundation.

Mayor Casey made a motion, seconded by Councilman Weiss, to approve Change Orders 9/10, 11, and 12.

RESOLUTION 69-08

A RESOLUTION APPROVING CHANGE ORDER NUMBERS 11 & 12, AND REVISING CHANGE ORDER NUMBERS 9 & 10 AS APPROVED BY RESOLUTION NUMBER 54-08, FOR THE PROJECT KNOWN AS MEDFORD LAKES BOROUGH HALL, AMENDING THE TENANT FIT-OUT CONTRACT WITH W.J. GROSS, INC. FROM \$762,260.00 TO \$761,213.00, A DECREASE OF \$1,047.00

WHEREAS, Change Orders 9 and 10 were approved by Resolution Number 54-08 in the amount of \$19,322 for the project known as Medford Lakes Borough Hall have been revised to the amount of \$11,919.00, a decrease to the contract of \$7,403.00; and

WHEREAS, Change Order Number 11 in the amount of \$2,337.00 dated March 25, 2008 and Change Order Number 12 in the amount of \$4,019.00 dated April 3, 2008, an increase to the contract of \$6,356.00; and

WHEREAS, the revision to Change Order Number 9 & 10 along with the added Change Order Numbers of 11 & 12 amends the total contract with W.J. Gross, Inc. from \$762, 260.00 to \$761,213.00, a decrease in the contract of \$1,047.00; and

WHEREAS, the Project Architect, Ragan Design Group has reviewed said change orders; and

WHEREAS, the Chief Financial Officer has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that Change Order Numbers 9 and 10 be amended and that Change Order Numbers 11 and 12 is hereby approved; and

BE IT FURTHER RESOLVED that amended Change Order Numbers 9 and 10 and new Change Order Numbers 11 and 12 hereby amends the contract price from \$762,260.00 to \$761,213.00, a decrease in the contract of \$1,047.00; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the necessary documents relative to the change orders attached.

VOTE TO APPROVE RESOLUTION 69-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 69-08 is approved

CLERK'S REPORT – Mr. McIntosh reported the issue with the MisheMokwa culvert has been resolved with the State and work has been green-lighted to start. The lake will be lowered to accommodate repairs. The cost is \$30,000 and is all-inclusive.

DISCUSSION OF PENDING RESOLUTIONS

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

62-08 - appointment of Geoffrey Urbanik as fund commissioner to the JIF.

63-08 - tonnage grant application

64-08 - authorizing the Municipal Alliance Grant

65-08 - participation in the Community Development Act

PUBLIC COMMENT

Dave Wasson, 97 Wabun Trail, asked for more information concerning the attic stairs in Oaks Hall and the amount of the Municipal Alliance Grant, which has been reduced \$1,500.00.

Jackie Cleaver, 169 Chippewa Trail, asked what has been done to date about the problem she is having with her neighbors. Mr. McIntosh previously sent a letter to the Schmidlins, advising them they must remove any improvements they made to the Decotah "paper trail", which they have not done. The next step will be the issuance of an enforcement summons.

BUSINESS PORTION OF THE REGULAR MEETING

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 Certificate 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 62-08, seconded by Councilman Woodend.

RESOLUTION 62-08

A RESOLUTION APPOINTING GEOFFREY D. URBANIK AS THE FUND COMMISSIONER TO THE CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Medford Lakes has authorized its participation in the Camden County Municipal Joint Insurance Fund; and

WHEREAS, it is necessary for the Borough Council to appoint a Fund Commissioner to the Camden County Municipal Joint Insurance Fund; and

WHEREAS, it is the desire of the governing body to appoint Geoffrey D. Urbanik as the Fund Commissioner to the Camden County Municipal Joint Insurance 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. Geoffrey D. Urbanik is hereby appointed as the Fund Commissioner for the Borough of Medford Lakes to the Camden County Municipal Joint Insurance Fund; and
2. a certified copy of this resolution be forwarded to the Administrator for the Camden County Municipal Joint Insurance Fund.

VOTE TO APPROVE RESOLUTION 62-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 62-08 is approved

Mayor Casey introduced Resolution 63-08, seconded by Councilman Woodend.

RESOLUTION 63-04

A RESOLUTION AUTHORIZING A TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby endorses the submission of the 2007 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Mark J. McIntosh, Deputy Manager, Cabin Circle, Medford Lakes, New Jersey, to ensure that the said application is properly filed.

VOTE TO APPROVE RESOLUTION 63-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 63-08 is approved

Mayor Casey introduced Resolution 64-08, seconded by Councilman Woodend.

RESOLUTION 64-08

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$8,500.00

WHEREAS, N.J.S.A 26:2BB-1 the New Jersey Governor's Council on Alcoholism and Drug Abuse has awarded a DEDR (Drug Enforcement Demand Reduction) grant to the Borough of Medford Lakes in the amount of \$8,500; and

WHEREAS, the Borough of Medford Lakes would like to participate in this grant program and adhere to the conditions under which the grant shall be administered; and

WHEREAS, the grant period is from January 1, 2008 through December 31, 2008 and a 25% (\$2,125.00) cash match and 75% (\$6,375.00) in-kind match are required;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby authorizes the mayor and clerk to execute the attached agreement between the Burlington County Board of Chosen Freeholders and the Borough of Medford Lakes.

VOTE TO APPROVE RESOLUTION 64-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 64-08 is approved

Mayor Casey introduced Resolution 65-08, seconded by Councilman Woodend.

RESOLUTION 65-08

A RESOLUTION AUTHORIZING THE BOROUGH OF MEDFORD LAKES TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

BE IT RESOLVED AND ENACTED that the Council of Medford Lakes, County of Burlington and State of New Jersey authorizes an agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

SECTION I. Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

SECTION II. it is necessary to establish a legal basis for the County and its people to benefit from this program; and

SECTION III. an agreement has been proposed under which the Borough of Medford Lakes and the County of Burlington in cooperation with the other municipalities will establish an Inter-local Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and

SECTION IV. the agreement entitled "Agreement Between The County of Burlington and Certain Municipalities Located Therein For The Establishment of a Cooperative Means Of Conducting Certain Community Development Activities", is in the best interest of the Borough of Medford Lakes a copy of which is on file at the Municipal Clerk's Office; and

- SECTION V. the Borough of Medford Lakes shall enter into the agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the agreement on behalf of the Borough of Medford Lakes and affix thereunto the Official Seal; and
- SECTION VI. all resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency; and
- SECTION VII. this Resolution shall take effect immediately after passage and publication as provided by law.

VOTE TO APPROVE RESOLUTION 65-08
Ayes: Casey, Weiss, Woodend
Nays: None
Resolution 65-08 is approved

RESOLUTIONS

Resolution 56-08 is still tabled.

Resolution 66-08 was pulled from the agenda.

Mayor Casey introduced Resolution 67-08, seconded by Councilman Weiss.

RESOLUTION 67-08 A RESOLUTION INTRODUCING AND APPROVING THE 2008 MUNICIPAL BUDGET (First Reading)

WHEREAS, the Municipal Budget of the Borough of Medford Lakes, County of Burlington for the year 2008 is hereby introduced;

NOW, THEREFORE, BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008; and

BE IT FURTHER RESOLVED that said Budget be published in the Central Record in the issue of April 17, 2008; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Medford Lakes that:

1. the body does hereby approve the following as the Budget for the Year 2008; and
2. notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, on April 10, 2008; and
3. a hearing on the Budget and Tax Resolution will be held at Vaughan Hall, 79 Tecumseh Trail, Medford Lakes, NJ, in Demby Annex on May 8, 2008, at 7:30PM at which time and place objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

Council discussed what they believe to be “flawed logic” used by Governor Corzine when assigning State aid decreases, in his effort to encourage municipalities to share services. Council reported the budget reflects a \$212,000 decrease. If the \$215,000 State aid is restored, it would be applied to property tax relief.

VOTE TO APPROVE RESOLUTION 67-08
Ayes: Casey, Weiss
Nays: Woodend
Resolution 67-08 is approved

ORDINANCES

Mayor Casey introduced Ordinance 545 on First Reading, seconded by Councilman Weiss.

ORDINANCE 545 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2008 (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Medford Lakes in the County of Burlington finds it advisable and necessary to increase its CY 2008 budget by 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$29,030.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the mayor and council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Borough of Medford Lakes shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1%, amounting to \$29,030.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, and that the CY 2008 municipal budget for the Borough of Medford Lakes be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this resolution upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

VOTE TO APPROVE ORDINANCE 545 ON FIRST READING

Ayes: Casey, Weiss, Weiss

Nays: None

Ordinance 545 is approved

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF THE BILLS

Ayes: Casey, Weiss, Woodend

Nays: None

Bills are approved for payment

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 at 8:15pm



