

BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
APRIL 24, 2008

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 Weiss. Also present were Manager Urbanik, Clerk McIntosh, Solicitor Lange and Police Chief Martine. Councilman Woodend arrived late

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 Weiss, to approve the minutes of the April 10, 2008 Regular Council Meeting.

VOTE TO APPROVE MINUTES FOR APRIL 10, 2008

Ayes: Casey, Weiss
Nays: None
Absent: Woodend
Minutes are approved

WORKSHOP PORTION OF THE REGULAR COUNCIL MEETING

REPORTS

MANAGER'S REPORT – Mr. Urbanik reported gypsy moth spraying will be done by the County. The plane will stop spraying for one hour while students are proceeding to Neeta and Nokomis schools. High school students in the area will be notified of the spray date and time so they may make other arrangements to go to school, and not stand at their bus stops.

Manager Urbanik received notification from the County Tax Board that property re-evaluations are required to be completed by September of 2009.

Council directed that Borough tax assessor Doug Kolton be asked to attend the Regular Meeting on May 22, 2008.

The bid opening for the position of wastewater superintendent will be Friday, April 25, 2008.

Mr. Urbanik has researched Magellan Hill for phone connections in Oaks Hall. The company could save 33% over what the Borough has been paying. Data would continue to be through the Comcast cable connection.

Council directed Mr. Urbanik to determine if Magellan can bid on the cable connection.

The current date for outsourcing solid waste pickup is July 1, 2008.

Mr. Urbanik reported he received an e-mail from Joanne Tragressor stating her concerns about site work at Oaks Hall.

CLERK – Mr. McIntosh reported he attended a pre-gypsy moth spray meeting this date. He would like to use the Shawnee High School's reverse 9-1-1 system to notify high school students who wait for buses during the early morning hours.

Council directed Mr. McIntosh to request, in writing, a "statement of no interest" from the DEP concerning the metal grates for upper and lower Aetna Lakes.

SOLICITOR – Mr. Lange is prepared to have Council adopt the wastewater collective bargaining agreement at this meeting.

Tonight's meeting will also see the award of contracts for Oaks Hall.

Solicitor Lange continues to work toward settlement of the easement issues encountered during the construction of the dams.

DISCUSSION OF PENDING ORDINANCES AND RESOLUTIONS

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

Ordinance 546 An ordinance on first reading of amendment to the Land Use ordinance

- 70-08 A resolution authorizing participation in the shared services program
- 71-08 A resolution for a refund for a street opening permit
- 72-08 A resolution for block party traffic restrictions
- 73-08 A resolution to issue a raffle license
- 74-08 A resolution to issue a raffle license
- 75-08 This resolution is not needed; resolution number will be re-assigned
- 76-08 A resolution for traffic restrictions for a public function
- 56-08 A resolution of agreement with the Medford Lakes emergency squad
- 66-08 A resolution waiving the soliciting ordinance for a one-day event
- 77-08 A resolution of agreement with the Medford Lakes wastewater employees
- 78-08 A resolution of agreement with a Medford Lakes property owner
- 79-08 A resolution to suspend traffic regulations
- 80-08 A resolution of agreement with the DEP
- 81-08 A resolution awarding a contract for security at Oaks Hall
- 82-08 A resolution awarding a contract for staining at Oaks Hall
- 83-08 A resolution awarding a contract for site work at Oaks Hall

NEW BUSINESS

Voters failed to pass the local school budget. Council will now review paperwork provided by the schools. Council must take action by May 19, 2008.

Police Chief Martine advised Council that the sensors for the traffic light at Lenape Trail and Stokes Road, and for the new light at Stokes Road and Minnetonka Trail, have been delivered and will be installed as soon as possible by the County. The flashing light on Stokes Road will be moved to Tuckerton Road.

Council directed Mr. McIntosh to contact the county highway department concerning needed repairs on the Tabernacle Road bridge.

PUBLIC COMMENT

Arnold Fishman, 210 Chippewa Trail, advised Council of the status of his property, that was to be restored to its state prior to the dam reconstruction. He provided one estimate to replace two trees. Solicitor Lange wants three quotes. Council agreed to act by the May 8, 2008 meeting or Mr. Fishman advised he will go to arbitration.

Joanne Tragressor, 6 Minnetonka Trail, elaborated on her concerns for site work to the municipal building. She asked Council to table the vote on resolution 83-08.

Jackie Cleaver, 169 Chippewa Trail asked Council what the next step is in her ongoing problem with neighbors encroaching on the Decotah Trail right-of-way. The Borough will obtain a survey and reclaim the right-of-way. This will be accomplished by the meeting on May 22, 2008. All man-made items on the right-of-way will then have to be removed.

Marilyn Hardwick, 246 Chicagami Trail, asked Council to consider publishing some kind of newsletter to keep the residents apprised of the status of Oaks Hall construction.

Joe Aromando, 285 Shingowack Trail, asked Council to elaborate on resolution 80-08. The State sued the Borough for the return of grant money and settled on an amount of \$7,500.

Mr. Aromando asked what the final cost for Oaks Hall would be; the estimate is \$2,000,000.

Mr. Aromando asked Council to begin the re-evaluation of Borough properties; he contends lakefront properties are currently undervalued.

Police Chief Martine asked Council about how Canoe Carnival ticket sales would affect the public right-of-way along Aetna Way. The quit claim deed for the property allows for charging the public to use the public right-of-way. No council action is required.

Arlene Bennett, 133 Tuckerton Road, asked Council about the plans for electric service on Ballinger Lake from Oaks Hall for the Lions Christmas Tree.

BUSINESS PORTION OF THE REGULAR MEETING

ORDINANCES

Mayor Casey introduced Ordinance 546 on First reading, seconded by Councilman Weiss.

ORDINANCE 546

AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, AMENDING ORDINANCE 510, AS AMENDED, THE BOROUGH OF MEDFORD LAKES LAND DEVELOPMENT ORDINANCE

BE IT ORDAINED by the Borough Council of the Borough of Medford Lakes that the Borough hereby amends Chapter One, Article V, section 519, of the Medford Lakes Land Development Ordinance, by deleting the language therein, and providing as follows:

I. Purpose: The purpose of this Ordinance is to amend Ordinance Number 510.

II. Amendment: Section 519, paragraph A, Chapter One, Article V, general zoning provisions, entitled "Signs," is hereby amended as follows:

Subsection A, paragraph 7, "temporary signs - definitions," is hereby amended from the following:

TEMPORARY SIGN – Any exterior poster, sign, billboard, handbill, advertisement, or other material which is not intended to remain permanently at a particular location.

to the following:

TEMPORARY SIGN – Any exterior poster, sign, billboard, handbill, advertisement, dispensers for same, or other material which is not intended to remain permanently at a particular location.

i. Temporary Signs is hereby amended from the following:

b. Temporary signs shall be permitted only as hereinafter provided. All temporary signs are subject to the following requirements:

1. Only one temporary sign shall be permitted at any time.
2. The size of the sign shall not exceed six (6) square feet, and it shall not exceed four (4) feet in height.
3. Said sign(s) shall not be illuminated, and shall have no moving parts.
4. The sign shall be set so that same shall not encroach upon the public right-of-way.
5. The sign shall be set back at least ten (10) feet from the roadway and fifteen (15) feet from the side property line.
6. The period of time during which any such temporary sign is permitted shall not exceed 45 days.

to the following:

b. Temporary signs shall be permitted only as hereinafter provided. All temporary signs are subject to the following requirements:

1. Only one temporary sign shall be permitted at any time.
2. The size of the sign shall not exceed six (6) square feet, and it shall not exceed four (4) feet in height.
3. Said sign(s) shall not be illuminated, and shall have no moving parts.
4. The sign shall be set so that same shall not encroach upon the public right-of-way.
5. No portion of the sign shall be closer than ten (10) feet from the roadway and nor within fifteen (15) feet from the side property line, nor within fifty (50) feet of any lake, pond or stream.
6. The period of time during which any such temporary sign is permitted shall not exceed 45 days.

ii. Real Estate Signs is hereby amended from the following:

(4) Real Estate Signs

- (a) Signs indicating premises for sale or rent shall be no larger than six square feet in area, set back at least ten (10) feet from the roadway, as well as fifteen (15) feet from the side yard, and shall not be illuminated.
- (b) Such signs shall not remain for more than 45 days from the date of erection. The sign shall have marked thereon, clearly visible from the roadway, the date of the erection thereof. Signs shall be removed within forty-eight (48) hours of a binding agreement of sale for the subject premises. There shall be no more than one sign erected in any six (6) month time period. The erection of said signs shall be deemed permission of the person or persons erecting said sign to permit the removal thereof in the event of non-compliance with the terms of this ordinance.

to the following:

(4) Real Estate Signs

- (a) Signs indicating premises for sale or rent shall be no larger than six square feet in area. No portion of the sign shall be closer than ten (10) feet from the roadway, nor within fifteen (15) feet from the side yard, nor within fifty (50) feet of any lake, pond or stream and shall not be illuminated.
- (b) Signs shall be removed within forty-eight (48) hours of a binding agreement of sale for the subject premises. The erection of said signs shall be deemed permission of the person or persons erecting said sign to permit the removal thereof in the event of non-compliance with the terms of this ordinance.

III. Effective Date. This Ordinance shall become effective upon passage and publication according to law.

VOTE TO APPROVE ORDINANCE 546 ON FIRST REDDING, AS AMENDED

Ayes: Casey, Weiss, Woodend
 Nays: None
 Ordinance 546 is approved on First Reading

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 70-08, seconded by Councilman Weiss.

RESOLUTION 70-08

A RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY SHARED SERVICES FORUM

WHEREAS, the forty municipalities within Burlington County are interested in providing cost effective and efficient delivery of governmental services to their citizens; and

WHEREAS, it is believed that jointly Shared Services provided by various municipalities and school districts will be cost effective and efficient; and

WHEREAS, there is a need to facilitate shared services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and governing body of the Borough of Medford Lakes that the Borough does actively support discussing and researching possible new and enhanced shared services between one or more municipalities, Burlington County and/or local school districts; and

BE IT FURTHER RESOLVED that the following two representatives of the Borough of Medford Lakes, Geoffrey D. Urbanik and Donna A. Condo, are hereby authorized and encouraged to participate in all meetings of the Burlington County Shared Services Forum and/or its subcommittees for the purpose of reaching a consensus on the best opportunities for Shared Services among these governmental agencies; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Burlington County Board of Chosen Freeholders and the Burlington County Bridge Commission.

VOTE TO APPROVE RESOLUTION 70-08

Ayes: Casey, Weiss, Woodend
 Nays: None
 Resolution 70-08 is approved

Mayor Casey introduced Resolution 71-08, seconded by Councilman Weiss.

RESOLUTION 71-08

A RESOLUTION AUTHORIZING THE SECOND HALF REFUND OF A STREET OPENING PERMIT FOR 134 PAUPUKKEEWIS TRAIL

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 March 18, 2008 the Construction Official authorized the refund of all bonds that were no longer required to be kept;

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 receives a refund of their maintenance bond:

<u>APPLICANT</u>	<u>AMOUNT OF REFUND</u>	<u>PROJECT ADDRESS</u>
Mr. Rooter (Sanders Trade Services) 100 Park Drive Voorhees, NJ 08043	\$750.00	134 Paupukeewis Trail

VOTE TO APPROVE RESOLUTION 71-08
Ayes: Casey, Weiss, Woodend
Nays: None
Resolution 71-08 is approved

Mayor Casey introduced Resolution 72-08, seconded by Councilman Weiss.

RESOLUTION 72-08

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS FOR A MAY 3, 2008 BLOCK PARTY ON MANHASSET TRAIL BETWEEN HAHIAH TRAIL AND HIAWATHA TRAIL

WHEREAS, on May 3, 2008, the residents of Manhasset Trail will hold a block party; and

WHEREAS, said residents would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

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 Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e; and
2. pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Manhasset Trail between Hahiah Trail and Hiawatha Trail; and

3. the aforementioned street closing shall be between 3:00pm and 10:00pm; and
4. block party contact person #1 is Rose Price-Meakim, 41 Manhasset Trail, and contact person #2 is Meredith Del Rossi, 31 Manhasset Trail, Medford Lakes, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades; and
5. the Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

VOTE TO APPROVE RESOLUTION 72-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 72-08 is approved

Mayor Casey introduced Resolution 73-08, seconded by Councilman Weiss.

RESOLUTION 73-08

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN OFF-PERMISE RAFFLE LICENSE (50/50) TO MEDFORD LAKES EDUCATION FOUNDATION

WHEREAS, the Medford Lakes Education Foundation, Inc. has qualified in the prescribed manner and submitted an application to hold an Off-Premise 50/50 Drawing on June 14, 2008; and

WHEREAS, Council has reviewed the findings and determinations and concur that the Off- Premise 50/50 Drawing is to be conducted according to law;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned Off-Premise 50/50 Drawing be and is hereby granted to the Medford Lakes Education Foundation.

VOTE TO APPROVE RESOLUTION 73-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 73-08 is approved

Mayor Casey introduced Resolution 74-08, seconded by Councilman Weiss.

RESOLUTION 74-08

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ON-PREMISES RAFFLE LICENSE (50/50) TO THE MEDFORD LAKES EDUCATION FOUNDATION

WHEREAS, the Medford Lakes Education Foundation, Inc. has qualified in the prescribed manner and submitted an application to hold an **On-Premise 50/50 Drawing** on May 15, 16 and 17, 2008; and

WHEREAS, Council has reviewed the findings and determinations and concur that the On- Premise 50/50 Drawing is to be conducted according to law;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that a license to conduct the aforementioned On-Premise 50/50 Drawing be and is hereby granted to the Medford Lakes Education Foundation.

VOTE TO APPROVE RESOLUTION 74-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 74-08 is approved

Mayor Casey introduced Resolution 76-08, seconded by Councilman Weiss.

RESOLUTION 76-08

A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS FOR A MAY 17, 2008 LICENSED GAME OF CHANCE ON MCKENDIMEN ROAD BETWEEN CHIPPEWA TRAIL AND OAK DRIVE

WHEREAS, on May 17, 2008, the Memorial Hospital Auxiliary of Burlington County, Inc. will be conducting a licensed game of chance (duck race) on Lower Mirror Lake; and

WHEREAS, said organization would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the game of chance is to be held;

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:

6. the Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1) e; and
7. pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

McKendimen Road between Chippewa Trail and Oak Drive; and

8. the aforementioned street closing shall be between 12:00pm (noon) and 5:00pm on Saturday, May 17, 2008; and
9. Memorial Hospital Auxiliary contact person #1 is Joan Lewis, and contact person #2 is Janice O’Neill, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades; and
10. the Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

VOTE TO APPROVE RESOLUTION 76-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 76-08 is approved

RESOLUTIONS

Mayor Casey introduced Resolution 56-08, seconded by Councilman Weiss.

RESOLUTION 56-08

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN MEDFORD LAKES BOROUGH AND MEDFORD EMERGENCY SQUAD, INC., T/A MEDFORD LAKES EMERGENCY SQUAD, INC., REGARDING EMERGENCY MEDICAL SERVICE

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:

1. 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, 2008 until March 31, 2009.
2. 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.

VOTE TO APPROVE RESOLUTION 56-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 56-08 is approved

Mayor Casey introduced Resolution 66-08, seconded by Councilman Weiss.

RESOLUTION 66-08

A RESOLUTION AUTHORIZING A TEMPORARY WAIVER OF ORDINANCE 84, AN ORDINANCE GOVERNING PEDDLING AND SOLICITING

WHEREAS, the Memorial Hospital Auxiliary of Burlington County, Inc. will be holding a Legalized Game of Chance (Duck Race) on Saturday, May 17 from 12:00pm to 5:00pm on Lower Mirror Lake; and

WHEREAS, the Memorial Hospital Auxiliary of Burlington County would like to have ice cream served at the event; and

WHEREAS, Mr. Softee has applied for a Borough Peddling and Soliciting License in accordance with Ordinance Number 84; and

WHEREAS, the application might not be fully processed in time for the scheduled event;

NOW, THEREFORE, BE IT RESOLVED by the Medford Lakes Borough Council that a waiver of Ordinance Number 84 be granted to Mr. Softee on Saturday, May 17, 2008, from 12:00pm to 5:00pm, at the location of the Legalized Game of Chance being operated by the Memorial Hospital Auxiliary of Burlington County.

VOTE TO APPROVE RESOLUTION 66-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 66-08 is approved

Mayor Casey introduced Resolution 77-08, seconded by Councilman Weiss.

RESOLUTION 77-08

A RESOLUTION AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT WITH THE MEDFORD LAKES BOROUGH WASTEWATER EMPLOYEES

WHEREAS, the Borough of Medford Lakes, pursuant to Resolution #46-06, has entered into a recognition agreement by and between Medford Lakes Borough and Teamster Local Union #676 covering the Wastewater Union Collective Bargaining Agreement as defined therein; and

WHEREAS, Collective Bargaining Agreement negotiations have been conducted by and between the Borough and the Union over the period from March of 2006 through the present; and

WHEREAS, attached to this Resolution is a certain Collective Bargaining Agreement dated April 10, 2008 covering a term of January 1, 2007 through December 31, 2009; and

WHEREAS, Medford Lakes Borough Council believes that the terms and conditions in the final Collective Bargaining Agreement are beneficial to and in the best interests of the Borough and its wastewater employees;

NOW, THEREFORE, BE IT RESOLVED by the Medford Lakes Borough Council that the Mayor and Borough Clerk are hereby authorized and directed to execute the aforementioned Collective Bargaining Agreement covering the terms and conditions of employment for all members of the Bargaining Unit known and identified as the, "Wastewater Employees of Medford Lakes Borough"; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to file the collective bargaining agreement with the New Jersey Public Employee Relations Commission (PERC) as required by the New Jersey Employer – Employee Relations Act at N.J.S.A. 34:13A-8.3.

VOTE TO APPROVE RESOLUTION 77-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 77-08 is approved

Mayor Casey introduced Resolution 78-08, seconded by Councilman Weiss.

RESOLUTION 78-08

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH CAROL LATTI, OWNER OF PROPERTY KNOWN AS BLOCK 10034, LOTS 4,5,6.01, 7 AND 8

WHEREAS, the Borough of Medford Lakes entered into a certain property access agreement with the owner of Block 10034, Lots 5, 6, 6.01, 7 & 8 granting the Borough access to the property in order to rebuild a portion of the Lower Aetna Lake Dam; and

WHEREAS, pursuant to said agreement with Carol Latti, owner of the property listed as Block 10034, Lots 5, 6, 6.01, 7 & 8, the Borough was required to return the property to pre-construction condition; and

WHEREAS, the project costs dedicated to property restoration have not been expended and paid under the contract for reconstruction of the dams; and

WHEREAS, Borough Council finds that the Latti property has not been completely restored to preconstruction condition; and

WHEREAS, Borough Council has reviewed the claims being advanced by Carol Latti's counsel and finds the claim for restoration damages reasonable and the proposed settlement in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute the attached release; and

BE IT FURTHER RESOLVED that the Borough Manager is authorized to disburse and pay \$2,515.27 to, Carol Latti, consistent with and upon the receipt of a fully executed copy of the attached release.

VOTE TO APPROVE RESOLUTION 78-08

Ayes: Casey, Weiss

Nays: None

Abstain: Woodend

Resolution 78-08 is approved

Mayor Casey introduced Resolution 79-08, seconded by Councilman Weiss.

RESOLUTION 79-08

A RESOLUTION OF THE MEDFORD LAKES BOROUGH COUNCIL SUSPENDING TRAFFIC RESTRICTIONS ON AETNA WAY

WHEREAS, Ms. Carol Latti owns property adjacent to Aetna Way in the Borough of Medford Lakes and identified on the Medford Lakes tax map as Block 10034, Lots 5,6,6.01,7 and 8; and

WHEREAS, Ms. Carol Latti has requested permission from Borough Council to access her property by utilizing the public right of way known as Aetna Way and the walkway adjacent to Aetna Way in order to perform certain landscaping work upon her property; and

WHEREAS, Ms. Carol Latti has elected to perform the landscaping work, as set forth on the attached estimate prepared by Yukon Landscape & Lawn Care, LLC, dated January 30, 2008 in the amount of \$2,515.27 and incorporated by reference herein, will commence in the Spring, 2008, subject to the notice provision below, and will be paid for, in full, by the Borough; and

WHEREAS, Ms. Carol Latti will agree to enter into an indemnification agreement and hold harmless agreement for the Landscaping Work in favor of the Borough and in a form and content acceptable to and approved by the Borough Solicitor and Ms. Carol Latti's counsel; and

WHEREAS, the passage of this Resolution shall not be construed in any way as an admission or concession of liability on the part of Medford Lakes Borough for any damages and/or other claims which may or may not be presented to the Borough by Carol Latti;

NOW THEREFORE, BE IT RESOLVED by the Medford Lakes Borough Council that the use restrictions currently in place restricting the use and passage on Aetna Way and the adjacent pedestrian walkway shall hereby be temporarily suspended between the hours of 9:00am to 2:00pm and with prior notification and approval of the Medford Lakes Police Department in favor of Ms. Carol Latti and her contractors for the sole purpose of performing landscaping and other improvements to the property owned by Ms. Carol Latti for a period of 30 days following the adoption of this Resolution.

VOTE TO APPROVE RESOLUTION 79-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 79-08 is approved

Mayor Casey introduced Resolution 80-08, seconded by Councilman Weiss.

RESOLUTION 80-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Borough of Medford Lakes was issued authorization from the NJDEP for a Tier A Municipal Stormwater General Permit; and

WHEREAS, pursuant to the authorization and issuance of the permit the Borough was required to adopt a Municipal Stormwater Management Plan by January 24, 2006; and

WHEREAS, the Borough of Medford Lakes adopted a Municipal Stormwater Management Plan on April 19, 2007; and

WHEREAS, the failure to timely adopt a plan caused the NJDEP to issue a civil administrative penalty of \$15,000.00; and

WHEREAS, through negotiations between the Borough Solicitor and the NJDEP, both parties agree to settle this matter by payment of a civil administrative penalty in the amount of \$7,500;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the Mayor and Borough Clerk are authorized to execute the attached stipulation of settlement and withdraw of hearing request with prejudice; and

BE IT FURTHER RESOLVED that the Borough Manager is authorized to dispense a check in the amount of \$7,500 payable to, "Treasurer, State of New Jersey" as identified in the attached agreement.

VOTE TO APPROVE RESOLUTION 80-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 80-08 is approved

Mayor Casey introduced Resolution 81-08, seconded by Councilman Weiss.

RESOLUTION 81-08

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR AN ACCESS CONTROL SYSTEM AND A CCTV SYSTEM FOR MEDFORD LAKES MUNICIPAL CABIN

WHEREAS, the Borough of Medford Lakes has a need to acquire the services of a contractor to install an Access Control System and CCTV system in the Municipal Cabin as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is less than 6 months; and

WHEREAS, Sonitrol Security of Delaware Valley has submitted a written proposal dated 4/7/08 for \$28,094.00; and

WHEREAS, Comtec Systems, Inc. has submitted a written proposal dated 4/18/08 for \$29,404.71; and

WHEREAS, Liberty Electronics Security, Inc. has advised the Borough that they are unable to quote this project; and

WHEREAS, Sonitrol Security of Delaware Valley has completed and submitted a Business Entity Disclosure Certification which certifies that Sonitrol Security of Delaware Valley has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Sonitrol Security of Delaware Valley from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available for this award as evidenced by the attached certification of availability of funds, and this contract shall be charged to the Oaks Hall Capital Budget;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey hereby authorizes the Borough Manager to enter into a contract with Sonitrol Security of Delaware Valley as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

VOTE TO APPROVE RESOLUTION 81-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 81-08 is approved

Mayor Casey introduced Resolution 82-08, seconded by Councilman Weiss.

RESOLUTION 82-08

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR STAINING AND INSTALLATION OF CEILING BOARDS FOR MEDFORD LAKES MUNICIPAL CABIN

WHEREAS, the Borough of Medford Lakes has a need to acquire the services of a contractor to stain and install Ceiling Boards in the Municipal Cabin as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is less than 6 months; and

WHEREAS, South Branch Woodcraft, LLC, has submitted a written proposal dated 4/11/08 for \$24,500.00; and

WHEREAS, W.J. GROSS, Inc. has submitted a written proposal dated 4/9/08 for \$33,442.00; and

WHEREAS, Cutry Construction has submitted a written proposal dated 4/8/08 for \$28,683.00; and

WHEREAS, South Branch Woodcraft, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that South Branch Woodcraft, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit South Branch Woodcraft, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available for this award as evidenced by the attached certification of availability of funds, and this contract shall be charged to the Oaks Hall Capital Budget;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey hereby authorizes the Borough Manager to enter into a contract with South Branch Woodcraft, LLC as described herein;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

VOTE TO APPROVE RESOLUTION 82-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 82-08 is approved

Mayor Casey introduced Resolution 83-08, seconded by Councilman Weiss.

RESOLUTION 83-08

A RESOLUTION AWARDING A BID FOR SITE WORK IMPROVEMENTS AT MEDFORD LAKES MUNICIPAL CABIN

WHEREAS, the Borough of Medford Lakes pursuant to the public contract law received the following bids for site work improvements on April 24, 2008:

Command Company	\$134,951.20
SMB Paving, LLC,	\$109,956.25
Mount Construction	\$134,639.35; and

WHEREAS, SMB Paving, LLC., has submitted a written letter withdrawing their bid; and

WHEREAS, Mount Construction was the lowest responsible/responsive bidder received by the Borough, with a bid in the amount of \$134,639.35; and

WHEREAS, the bid of Mount Construction has complied with the bid specifications as prepared by Remington, Vernick & Arango, site work engineers for the Municipal Cabin Project; and

WHEREAS, the Borough has received a written recommendation to award from Remington, Vernick & Arango; and

WHEREAS, the CFO certifies that funds are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Medford Lakes that Mount Construction, 427 S. White Horse Pike, Berlin, NJ, 08009, is awarded the contract for Site Work Improvements at the Borough of Medford Lakes Municipal Cabin; 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 document with Mount Construction in order to complete said Contract.

VOTE TO APPROVE RESOLUTION 83-08

Ayes: Casey, Weiss

Nays: Woodend

Resolution 83-08 is approved

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 81-08 is approved

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 75-08

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 ongoing Northeast Remsco claims and potential litigation, and the Superior Officers contract negotiations; 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. Official action may be taken.

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

