

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
FEBRUARY 28, 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, Councilman Weiss, and Councilman Woodend (late arrival). Also present were Clerk McIntosh, Police Chief Martine and new Manager Urbanik.

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 February 14, 2008 Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss

Nays: None

Absent: Woodend

Minutes are approved

WORKSHOP PORTION OF THE REGULAR COUNCIL MEETING

REPORTS

MANAGER'S REPORT

Mr. McIntosh advised that Lower Aetna Lake was lowered for bulkhead repairs.

Mancer Cyr, owner of the laundromat on Trading Post Way, has an issue with parking. Previously, his patrons were allowed to park on the business side of the street and in the lot owned by the catering company in the old bank building. Now, no parking signs have been installed on both sides of Trading Post. The bank building has been sold; the new owner has advised Mr. Cyr that his patrons will no longer be allowed to use the lot during daytime business hours. Mr. Cyr asked Council to consider a drop-off area in front of the building or a two-hour parking area. Also, a small area of Borough right-of-way sits behind the building and could be used for parking with Council's approval.

Council directed Police Chief Martine to investigate the possible solutions and advise Council of his findings.

Mr. McIntosh is obtaining quotes for voice and data service for Oaks Hall. These services will follow completion of electrical work.

Manager McIntosh is in the process of obtaining quotes for emergency roadway and sewer repairs. Council wants to put a company on retainer to avoid high cost emergency rates.

SOLICITOR'S REPORT

Mr. Lange announced a teleconference next week concerning the Quogue dam.

The Borough needs to establish a regular inspection schedule for the dams, as required by Dam Safety.

Council directed Mr. McIntosh to investigate.

DISCUSSION OF PENDING RESOLUTIONS

Council discussed each resolution on the agenda, adding clarification and changes as needed. Resolution 48-08 was moved from Consent Agenda Resolutions to Resolutions.

48-08 A resolution supported by the Camden County JIF for dealing with the wrongful death statute. Solicitor Lange provided his opinion on the statute and his opposition to it.

NEW BUSINESS

Councilman Weiss advised Council and the public as to the status of the attempt to obtain funds from FEMA for the dam reconstructions.

A budget workshop is scheduled for Saturday, March 1, 2008, at 8:00pm upstairs in the firehouse.

Mayor Casey announced the probability that State aid to the Borough would be drastically cut, in keeping with Governor Corzine's attempts to reduce New Jersey's debt.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, asked the status of legislation for debt forgiveness for the dam reconstructions. With the status of current State finances, it is doubtful the debt would be forgiven.

The Borough has a contract with a lobbyist group in the amount of \$45,000 for 2008. They are attempting to recoup funds from FEMA for the cost of the dams.

Jackie Cleaver, 169 Chippewa Trail, attended the meeting to ask about the encroachment problem she is having with her neighbors. The Schmidlins have provided a survey, which shows some markers. Deputy Clerk McIntosh and Councilman Woodend measured the area and observed items in the disputed area, which were put there by the previous owners, not the Schmidlins.

Council directed Mr. McIntosh to send a letter to Mr. and Mrs. Schmidlin, asking them to remove all man-made improvements in the right-of-way.

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 46-08, seconded by Councilman Weiss.

RESOLUTION 46-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MOSQUITO SPRAYING AGREEMENT.

WHEREAS, the County of Burlington, Department of Highway, Division of Mosquito Control will be conducting aerial Larval Mosquito Control in the Borough of Medford Lakes; and

WHEREAS, the insecticides and aircraft to be used are approved and licensed aerial applicators;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, of the County of Burlington, in the State of New Jersey that the Mayor is authorized to execute an agreement with the Burlington County Mosquito Commission.

VOTE TO APPROVE RESOLUTION 46-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 46-08 is approved

Mayor Casey introduced Resolution 47-08, seconded by Councilman Weiss.

RESOLUTION 47-08

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT FOR EMERGENCY MEDICAL SERVICES AGREEMENT WITH MEDFORD TOWNSHIP

WHEREAS, the Township of Medford employs a paid staff of Emergency Medical Technicians, Monday through Friday, from 6:00am to 6:00pm; and

WHEREAS, the Borough of Medford Lakes is in need of augmenting its daytime volunteer emergency medical services; and

WHEREAS, the Township of Medford is agreeable to providing the service of Emergency Medical Services, Monday through Friday, 6:00am to 6:00pm; and

WHEREAS, the Inter-local Services Act, N.J.S.A. 40:8A-1 et seq. permits local units of this State to enter into a contract with any other local unit for such services; and

WHEREAS, the Township of Medford agrees to provide emergency medical 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 Mayor and the Clerk to enter into an inter-local service agreement for Emergency Medical Services with Medford Township;

1. this agreement shall be in effect for twelve (12) months effective February 1, 2008, and ending January 31, 2009; and
2. Medford Township Emergency Medical Services shall be dispatched with the Medford Lakes Emergency Squad, Monday through Friday, 6:00am to 6:00pm for all emergency medical service (911) dispatches.

VOTE TO APPROVE RESOLUTION 47-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 47-08 is approved

RESOLUTIONS

Councilman Woodend introduced Resolution 48-08, seconded by Councilman Weiss.

RESOLUTION 48-08

A RESOLUTION OPPOSING REVISIONS TO THE WRONGFUL DEATH STATUTE

WHEREAS, liability claims against municipalities are already increasing 10% per year; and

WHEREAS, the proposed revisions to the Wrongful Death Statute will add another 6% to 10% to this cost; and

WHEREAS, under the current wrongful death law, family members can already collect substantial compensation for actual losses such as medical bills and lost income as well as loss of companionship; and

WHEREAS, this bill will also allow juries to award substantial additional compensation for “emotional distress”; and

WHEREAS, this bill is contrary to the principles in Title 59; and

WHEREAS, without limitations in Title 59, it would be very difficult for state, county and local government to respond to a wide range of emergency situations;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, of the County of Burlington, in the State of New Jersey, that we urge the legislature to exempt Title 59 entities from any expansion of the Wrongful Death Statute; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Senator Phil Haines, Assemblywoman Marie Addiego, Assemblyman Scott Rudder, Governor Corzine, Senate President Cody and Assembly Speaker Roberts.

VOTE TO APPROVE RESOLUTION 48-08

Ayes: None

Nays: Weiss, Woodend

Abstain: Casey

Resolution 48-08 is not approved

CORRESPONDENCE

The Medford Lakes Country Club advised they are interested in renewing talks about a proposed water re-use program. Council will wait until new manager Urbanik has started working and is up to speed on the proposal.

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Weiss, Woodend

Nays: None

Bill List is approved for payment

ADJOURNMENT TO EXECUTIVE SESSION

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

RESOLUTION 49-08

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 wastewater collective bargaining, storm water penalty litigation, Northeast Remsco dam reconstruction contract, and potential litigation with regard to a State discharge permit.; 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

Council directed Mr. McIntosh to *Rice Notice* court administrator Jodi Termi for Executive Session following the regular meeting on March 13, 2008.

RETURN TO REGULAR MEETING

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

