

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
MAY 8, 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. Also present were Manager Urbanik, Clerk McIntosh, Police Chief Martine, CFO Condo and Borough auditor Stewart.

Council and the public observed a moment of silence to honor 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 April 24, 2008 Regular Council Meeting.

VOTE TO APPROVE MINUTES FOR APRIL 10, 2008

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

**WORKSHOP PORTION OF THE REGULAR COUNCIL MEETING**

**REPORTS**

**MANAGER'S REPORT** – Mr. Urbanik reported that, during the community cleanup day on May 17, 2008, the fence along Stokes Road at Minnetonka Trail would be repaired and painted.

The ceiling in Oaks Hall is currently being installed. Other work is being delayed until the ceiling is finished.

The fifth grades at Neeta School will be taking a walkover field trip to the waste water plant.

Council will hold a special meeting on Tuesday, May 13, 2008, at 7:00pm, in Vaughan Hall to discuss the failed local school budget.

Police Chief Martine asked Council about the site for the Memorial Day service after the parade. The flag pole will be erected in the oval park in front of the Cathedral of the Woods, between Mohawk and Minnetonka Trails. Council discussed having the parade start at Nokomis School and then proceed to the memorial site.

Mishemokwa Trail has been repaired at a significant savings to the Borough due to DPW doing the work.

**CLERK** – Mr. McIntosh reported DPW will be doing landscaping at the medical missionaries property on Beach Drive. The work will be done between May 27 and May 30, 2008.

The Lenape High School district has approved the Borough's use of the reverse 911 system to alert residents to the gypsy moth spraying.

Repairs will be made to the bridge on Tabernacle Road between June 23 through June 27, 2008, after school is out. The Burlington County Highway Department will make the repairs down to the wooden sub floor.

Two bid spec packages were picked up in the Borough office for solid waste removal.

**DISCUSSION OF PENDING ORDINANCES AND RESOLUTIONS**

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

**ORDINANCES**

Ordinance 545 – Municipal Budget. The ordinance is being voted on at Second Reading and Public hearing.

Ordinance 547 – Salary Ordinance discussion on First Reading. The hours worked overtime prerequisite will be removed from the ordinance both places it is in use. Council directed Clerk McIntosh to provide Council with comparisons with the 2007 Salary Ordinance.

Ordinance 548 – Discussion on First Reading of an appropriation from wastewater capital utility improvement fund for repairs.

Ordinance 549 – on First Reading amends Ordinance 518.

Ordinance 550 – authorization on First Reading for acquisition of a vehicle and road repairs.

Mayor Casey made a motion, seconded by Councilman Weiss, to strike dumpsters and the purchase of an SUV from the ordinance.

**VOTE ON MOTION**

Ayes: Casey, Weiss, Woodend

Nays: None

Motion carries

**CONSENT AGENDA RESOLUTIONS**

84-08 – A resolution supporting Police Blue Ribbon Week.

85-08 – A resolution acknowledging receipt and review of the audit.

86-08 – A resolution urging Governor Corzine to delay action on certain proposals.

**RESOLUTIONS**

67-08 – (second reading) A resolution adopting the 2008 Municipal Budget. The tax rate increase is nine cents or \$132.00 on a home valued at \$148,000.00. Eight point five percent of the nine cents is the direct result of the reduction of State aid.

87-08 – A resolution authorizing the reading of the 2008 Municipal Budget by title only.

88-08 – A resolution amending the sewer portion of the budget.

89-08 – A resolution awarding a contract to Carl Goodfellow.

90-08 – A resolution authorizing a payment to Mr. and Mrs. Fishman; they have signed a release.

91-08 – A resolution for change orders for Oaks Hall.

**NEW BUSINESS**

Councilman Weiss and Manager Urbanik attended a meeting with State representatives; the hope is that legislation is drafted with regard to the cost of the dams.

**PUBLIC COMMENT**

*Lou Potter, 64 Mohave Trail, suggested putting a notice in the Colony News advising residents that, if they observe anyone removing boards from the spillways, to call the Colony office.*

*Joe Aromando, 285 Shingowack Trail, suggested a locking system be installed on the spillways to prevent anyone from pulling the boards. Mr. Aromando asked why Quogue Dam was not repaired when the two Aetna Lake dams were done. Mr. Aromando also asked Council to delay adopting the budget and apply any financial aid to the flood recovery.*

*Walt Lyons, 168 Cheyenne Trail, asked Council to pass the budget and praised them for being on the right track.*

*Debby Klemas, 60 Mohawk Trail, feels the pending property re-valuations may ease some residents tax burden.*

*Police Chief Martine advised Council he feels it is time for a checklist and inventory of the dams.*

Council directed Mr. McIntosh to work with the Colony of this project.

**BUSINESS PORTION OF THE REGULAR MEETING**

**ORDINANCES**

Mayor Casey introduced Ordinance 545 on Second 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, 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 SECOND AND FINAL READING

Ayes: Casey, Weiss

Nays: Woodend

Ordinance 545 is approved on Second and Final Reading

Mayor Casey introduced Ordinance 547 on First Reading, seconded by Councilman Woodend.

**ORDINANCE 547**

**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEES AND OFFICERS OF THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2008 AND SPECIFYING THE METHOD OF PAYMENT THEREOF**

**BE IT ORDAINED** by the Borough Council of the Borough of Medford Lakes in the County of Burlington, New Jersey that:

**Section 1.** The following salaries designated herein are fixed on an annual basis respective to the position listed below. All employees may be paid bi-weekly, monthly or quarterly, as directed by the Borough Manager.

**Section 2.** The rates of salaries stated herein are the maximum rates and ranges. Employees may be paid up to these ranges at the discretion of the Municipal Manager.

**ADMINISTRATION**

<b><u>TITLE</u></b>		<b><u>MAXIMUM COMPENSATION EXCLUSIVE OF OVERTIME</u></b>
Mayor and Council		\$1,700.00
Municipal Manager		\$75,000.00
Municipal Clerk		\$33,600.00
Chief Finance Officer		\$43,000.00
Clerical Staff		\$48,000.00
Part Time Clerical	Per Hour	\$19.50
Tax Assessor		\$17,425.00
Tax Collector		\$13,000.00
Sewer Collector		\$17,156.00
Recycling Coordinator		\$3,900.00
Secretary to the Historic Commission		\$2,850.00
Secretary to the Planning Board		\$8,700.00
Deputy Clerk		\$15,250.00
Deputy Treasurer		\$6,600.00
Rabies Day Clinic Assistants	Up To / Per Clinic	\$125.00
Borough Council Meeting Secretary/LBD Bd Sec.	Per Meeting	\$125.00
Municipal Court Sound Recording Monitor	Per Court Session	\$50.00
Deputy Municipal Manager		\$20,000.00
Acting Municipal Clerk		\$26,215.00
Janitor	Per Hour	\$13.30

**MUNICIPAL COURT**

Judge		\$7,500.00
Municipal Court Administrator	Hourly Rate not to exceed	\$20.00
Deputy Court Administrator	Up To per court session & \$15.00 for each call-in	\$100.00

**POLICE DEPARTMENT**

Crossing Guards	Per Hour	\$14.59
Special Police	Per Hour	\$17.91

**CODE ENFORCEMENT**

Construction Official		\$11,400.00
Electrical Sub-code Official		\$5,175.00
Plumbing Sub-code Official		\$5,175.00
Fire Sub-code Official		\$5,175.00
Code Enforcement Officer		\$5,175.00
Zoning Officer		\$2,678.00

**EMERGENCY MANAGEMENT**

Emergency Management Coordinator		\$2,143.00
Emerg. Mgmt Coord.	For State of Emergency Activation per hour not to exceed 100 hrs	\$40.00
Deputy Emergency Management Coordinator		\$416.00

**BUREAU OF FIRE PREVENTION**

Fire Official		\$4,175.00
Fire Inspector		\$1,894.00
Fire Administrator		\$5,795.00

**PUBLIC WORKS/SANITATION**

Superintendent		\$76,975
Foreman	Per Hour	\$25.45
Laborer Class C	Per Hour	\$14.27
Laborer Class B	Per Hour	\$16.93
Laborer Class A	Per Hour	\$21.28
Mechanic	Per Hour	\$13.37

**WASTEWATER TREATMENT UTILITY**

Superintendent		\$74,600
Clerical		\$21,632.00
Operators Assistant	Up To / Per Hour	\$22.15
Laborers	Up to / Per Hour	\$24.84
Duty Pay	Per Week	\$200.00

**SECTION 3.** The Manager, at his/her discretion, can hire replacement employees up to and including the present maximum rates as set forth in this Ordinance.

**SECTION 4.** Members of the Police Department entitled to additional compensation for authorized duty in excess of the hours of ordinary duty or for allowances of expenses and promotion of officers shall be paid for such excess hours, expenses and promotions in accordance with the agreement made between the Borough of Medford Lakes and the Medford Lakes Police Officers Association. Such compensation however, shall not be less than permitted by applicable State and Federal Law.

**SECTION 5.** Longevity - All full time salaried and hourly employees shall be entitled to a longevity payment in November of the calendar year in which the second anniversary of continuous employment occurs, and annually thereafter. The annual longevity payment, upon entitlement, shall be calculated at the rate of \$100.00 per year of continuous employment ending in that calendar year provided however, that the annual longevity payment shall not exceed 7% of the current year's salary, or in the case of hourly employees, the annual regular time compensation based on 2,080 hours times the current hourly rate. In the event that an employee, who is otherwise eligible for a longevity payment, terminates his/her employment with the Borough prior to the time when such payments are regularly paid, he/she shall be entitled to a pro rated payment as of the date employment with the Borough terminated.

Section 6. Shift Differential - Members of the Police Department who are regularly assigned to continuous operation shifts or twenty-four rotating shift work, shall be paid a shift differential equal to two per cent (2%) of the employees base wages for the year. Such payment shall be made in a lump sum amount annually with the last regular pay period in November. In the event a member terminates employment before the November, payment shall be pro rated and paid upon termination.

Section 7. The salaries fixed by the foregoing section of this Ordinance shall respectively in lieu of any and all fees which the respective incumbents of said office might otherwise be entitled by Statute or otherwise by virtue of said office, which fees shall immediately upon collection thereof be paid over to the Chief Finance Officer of the Borough.

Section 8. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately upon its final adoption and publication according to law, but the rate of compensation provided for herein shall become effective as of January 1, 2008. This Ordinance shall become effective upon final adoption and publication in the manner prescribed by law.

**VOTE TO APPROVE ORDINANCE 547 ON FIRST READING**

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 547 is approved on First Reading

Mayor Casey introduced Ordinance 548 on First Reading, seconded by Councilman Weiss.

**ORDINANCE 548**

**AN ORDINANCE AUTHORIZING AN APPROPRIATION IN THE AMOUNT OF \$42,000 FROM THE WASTEWATER UTILITY CAPITAL IMPROVEMENT FUND, TO PROVIDE FOR THE REPAIRS NECESSARY TO THE SEWER PLANT SAND FILTER AND ELECTRICITY NECESSARY FOR THE UTILITY WATER PROJECT FOR THE WASTEWATER WATER DEPARTMENT**

**BE IT ORDAINED**, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, and State of New Jersey, as follows:

**SECTION 1.** The improvement described in Section 2 of this Ordinance is hereby authorized as general improvements to be made by the Borough of Medford Lakes, New Jersey. For the said improvements or purposes stated in Section 2, there is hereby appropriated the sum of forty-two thousand dollars (\$42,000.00), which is now available in the Waste Water Utility Capital Improvement Fund of the Borough of Medford Lakes.

**SECTION 2.** (a) The Improvement hereby authorized is as follows:

Improvements and Repairs to the Sand Filter	\$23,000.00
Electric for Utility Water Project	\$19,000.00

(b) The estimated cost of said acquisition is forty-two thousand dollars (\$42,000) for the improvements described in Section 2 (a) above, which sum is hereby appropriated from the Waste Water Utility Capital Improvement Fund.

**SECTION 3.** The following matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 2 of this Ordinance is not a current expense, and is property or improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose, within the limitations of said Local Bond Law, and according to the reasonable life thereof, is five (5) years for Section 2 above.

**SECTION 4.** The 2008 general capital budget of the Borough of Medford Lakes is hereby amended to conform to the provisions of this Ordinance to the extent of any inconsistency herewith.

**SECTION 5.** This ordinance shall take effect after publication and final passage, according to law.

VOTE TO APPROVE ORDINANCE 548 ON FIRST READING  
 Ayes: Casey, Weiss, Woodend  
 Nays: None  
 Ordinance 548 is approved on First Reading

Mayor Casey introduced Ordinance 549 on First Reading, seconded by Councilman Weiss.

**ORDINANCE 549**

**AN ORDINANCE AMENDING AND SUPPLEMENTING A BOND ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, FINALLY ADOPTED ON MAY 11, 2006, ENTITLED "A BOND ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON AUTHORIZING THE ACQUISITION OF VEHICLES AND THE CONSTRUCTION IMPROVEMENTS TO BOROUGH ROADS AND THE EXISTING SEWER COLLECTION SYSTEM; APPROPRIATING THE SUM OF \$705,000 THEREFORE; AUTHORIZING THE ISSUANCE OF \$689,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE SAID IMPROVEMENTS; AND MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING."**

**BE IT ORDAINED** by the Council of the Borough of Medford Lakes, in the County of Burlington, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

**SECTION A.** Section 3.(a)C. of Bond Ordinance 518 finally adopted on May 11, 2006 is hereby amended, revised, replaced, and supplemented to read as follows:

<u>Purpose/ Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
C. Acquisition of a twenty-five (25) yard trash truck-rear loader and a backhoe for the Borough's public Works Department, Including the Acquisition of all Related Materials and Performance of all Work Necessary Therefore and Incidental Thereto.	\$120,000	\$6,500	\$113,500	5 years

**SECTION B.** All other ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

**SECTION C.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as separate, distinct and an independent provision, and such holding shall not effect the validity of the remaining portion of the Ordinance adopted by the Borough Council on May 11, 2006.

**SECTION D.** This amendatory bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

VOTE TO APPROVE ORDINANCE 549 ON FIRST READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 549 is approved on First Reading

Mayor Casey introduced Ordinance 550 on First Reading, seconded by Councilman Weiss.

**ORDINANCE 550**

**A BOND ORDINANCE OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT AND FURTHER AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO BOROUGH ROADS; APPROPRIATING THE SUM OF \$155,100 THEREFORE; AUTHORIZING THE ISSUANCE OF \$147,000 BOND OR NOTES OF THE BOROUGH TO FINANCE SAID IMPROVEMENTS; AND MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.**

**BE IT ORDAINED** by the Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey (not less than two-thirds of all members therefore affirmatively concurring) pursuant to the provisions of the Local Bond Law, chapter 169 of the laws of 1960 of the State of New Jersey, as amended and supplemented ("local bond law"), as follows:

**Section 1.** The improvements described in Section 3 of this Ordinance are hereby authorized to be acquired and utilized by the Borough of Medford Lakes (the "Borough"), situate in the County of Burlington, New Jersey as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$155,100, including the sum of \$7,800 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the purposes or improvements and to meet the part of said \$155,100 appropriation not provided for by application of the down payment, , negotiable bonds are hereby authorized to be issued in the principal amount of \$147,300 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose; and the period of usefulness of each said purpose within the limitations of the Local Bond Law, all as more fully described in accordance with specifications on file in the office of the Borough Clerk, are as follows:

<u>Purpose/ Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount Obligations</u>	<u>of</u>	<u>Period of Usefulness</u>
A. Construction of drainage improvements to Mudjekeewin Trail and Tontonawa Trail, including the acquisition of all related materials and performance of all work necessary therefore and incidental thereto.	\$70,000	\$3,000	\$67,000		5 years
B. Acquisition of a utility truck, a sander for an existing dump truck and a recycling dumpster each for the Borough's public works department, including the acquisition of all related materials and performance of all work necessary therefore and incidental thereto.	\$60,000	\$3,000	\$57,000		5 years
C. Acquisition of an SUV police vehicle for the Borough's Police Department, including the acquisition of all related materials and performance of all work necessary therefore and incidental thereto.	\$25,100	\$1,300	\$23,800		5 years

- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$147,300.
- (c) The estimated cost of the improvement or purposes is \$155,100, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefore being the amount of \$7,800, the down payment for said purposes.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Borough's financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the financial officer. The financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8(a). The financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The financial officer is directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser. The financial officer is authorized and directed to comply with all post-issuance requirements under the Internal Revenue Code of 1986, as amended, to insure that the interest on such bonds or notes remains exempt from gross income for federal income tax and New Jersey Gross Income Tax Act purposes, if so sold, and to make any and all determinations or elections necessary or desirable with regard to such tax status and may invest the proceeds of any such sale in accordance therewith.

**Section 5.** The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution, in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this ordinance is not a current expense. They are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property benefited thereby.

(b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, taking into consideration the respective amounts of bonds or notes, is not less than 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$147,300 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$75,000.00 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The financial officer is authorized to designate such bonds or notes as "Qualified Tax Exempt Obligations" pursuant to I.R.C. Section 265 so long as the Borough has not issued other such obligations beyond the limitations set forth in the Internal Revenue Code of 1986, as amended.

**Section 7.** All grant monies from any source received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 9.** The Borough hereby declares its official intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

**Section 10.** In the event that any section or part of this ordinance shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such section or part shall, to the extent that it is not unconstitutional, invalid, or inoperative, remain in full force and effect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Following discussion, Council agreed to remove Section C from the resolution, and eliminating the purchase of an SUV for the police department. Chief Martine indicated the department is not in need of a new vehicle this year.

VOTE TO APPROVE ORDINANCE 550 ON FIRST READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 550 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 Consent Agenda Resolutions 84-08, 85-08, and 86-08, seconded by Councilman Weiss.

**RESOLUTION 84-08**

**A RESOLUTION SUPPORTING THE NATIONWIDE “BLUE RIBBON” CAMPAIGN AND NATIONAL POLICE WEEK, MAY 12 TO MAY 16, 2008**

**WHEREAS**, the Congress and the President of the United States has designated the week of May 12<sup>th</sup> to May 16<sup>th</sup>, 2008 as National Police Week; and

**WHEREAS**, the members of the law enforcement agency of the Borough of Medford Lakes play an essential role in safeguarding the rights and freedoms of the Borough of Medford Lakes; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS**, the men and women of law enforcement in the Borough of Medford Lakes unceasingly provide a vital public service;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that all citizens of the Borough to observe the week of May 12-16, 2008 as Police Week to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

VOTE TO APPROVE RESOLUTION 84-08  
Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 84-08 is approved

**RESOLUTION 85-08**

**A RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE AUDIT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2007**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an audit of its books, accounts and financial transactions; and,

**WHEREAS**, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Clerk of the Borough of Medford Lakes as per the requirements of N.J.S.A. 40A: 5-6 and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:2788-34; and,

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed as a minimum, the section of the annual audit entitled:

GENERAL COMMENTS  
RECOMMENDATIONS

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically, the sections of the Annual Audit entitled:

GENERAL COMMENTS  
RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and,

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the requirements of the Local Finance Board; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

**WHEREAS**, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to wit:

R.S. 52:2788-52 - "A local official or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Medford Lakes hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

VOTE TO APPROVE RESOLUTION 85-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 85-08 is approved

**RESOLUTION 86-08**

**A RESOLUTION OF THE MEDFORD LAKES BOROUGH COUNCIL URGING NEW JERSEY GOVERNOR CORZINE TO DELAY ACTION ON CERTAIN BUDGET PROPOSALS**

**WHEREAS**, on February 26, 2008, Governor Jon S. Corzine presented his FY 2009 Budget Proposal to a Joint Session of the New Jersey State Legislature; and

**WHEREAS**, the Governor's Budget Proposal proposes a significant reduction in local aid to municipalities and proposes payment by local municipalities for the services of the New Jersey State Police; and

**WHEREAS**, the proposed reductions for the FY 2009 Budget, if implemented, would require certain municipalities served by the State Police to contribute significant funds to the State's General Fund or provide for shared police coverage with other local departments which may include police department mergers; and

**WHEREAS**, it is necessary for the impacted communities to review the financial impact and develop the most efficient plan for provision of adequate and appropriate police and public safety services; and

**WHEREAS**, the Burlington County Bridge Commission has offered to assist the affected communities in obtaining available grant monies for the purpose of conducting professional studies aimed at developing the most efficient and responsible plan for policing the affected communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Medford Lakes Borough Council does hereby urge Governor Corzine to forestall acting on the aforementioned proposal in order to give local municipalities adequate time to study the proposal and alternatives for police coverage and explore obtaining grant monies for said purpose, and

**BE IT FURTHER RESOLVED** that the Medford Lakes Borough Council requests that the Burlington County Freeholders and Burlington County Bridge Commission take a leading role in supporting interested municipalities and organizing an effort to study regional policing solutions in Burlington County.

VOTE TO APPROVE RESOLUTION 86-08

Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 86-08 is approved

**RESOLUTIONS**

Mayor Casey introduced resolution 87-08, seconded by Councilman Weiss

**RESOLUTION 87-08**

**A RESOLUTION AUTHORIZING THE READING OF THE 2008 MUNICIPAL BUDGET IN TITLE ONLY**

**WHEREAS**, the Budget must be read in full unless at least one week prior to the date of hearing, a complete copy of the approved budget shall be made available for public inspection; and

**WHEREAS**, the Budget must be available for public inspection in the regional library of the County; and

**WHEREAS**, a resolution must be passed by a majority of the full membership stating that the law has been met and allowing that the budget be read by title.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that all of the requirements by law have been met to read the 2008 Municipal Budget by title only.

VOTE TO APPROVE RESOLUTION 87-08

Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 87-08 is approved

Mayor Casey introduced resolution 88-08, seconded by Councilman Weiss

**RESOLUTION 88-08**

**A RESOLUTION TO AMEND THE SEWER PORTION OF THE 2008 BUDGET**

**WHEREAS**, the local municipal budget for the year 2008 was approved on the 10th day of April, 2008 and;

**WHEREAS**, the public hearing on said budget has been held as advertised, and;

**WHEREAS**, it is desired to amend said approved budget, now therefore;

**BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, that the following amendments to the approved budget of 2008 be made:

<b>10. Anticipated Revenues from Sewer Utility</b>	<b><u>From</u></b>	<b><u>To</u></b>
Sewer Service Charges	\$1,020,000.00	\$1,021,000.00
Total Sewer Utility Revenues	1,197,450.00	1,198,450.00
<b>11 Appropriations for Sewer Utility</b>		
Debt Service		
Interest on Notes	34,000.00	35,000.00
Total Sewer Utility Appropriations	\$1,197,450.00	\$1,198,450.00; and

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2008 local municipal budget so amended.

VOTE TO APPROVE RESOLUTION 88-08

Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 88-08 is approved



VOTE TO APPROVE RESOLUTION 89-08

Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 89-08 is approved

Mayor Casey introduced resolution 90-08, seconded by Councilman Weiss

**RESOLUTION 90-08**

**A RESOLUTION AUTHORIZING PAYMENT TO ARNOLD N. FISHMAN AND TEMMA FISHMAN, OWNERS OF PROPERTY KNOWN AS BLOCK 20001, LOTS 18, 19, 20, AND 21**

**WHEREAS**, the Borough of Medford Lakes entered into a certain property access agreement with the owners of Block 20001, Lots 18, 19, 20 & 21 granting the Borough access to the property in order to rebuild a portion of the Upper Aetna Lake Dam; and

**WHEREAS**, pursuant to said agreement with Arnold N. Fishman and Temma Fishman, owners of the property listed as Block 20001, Lots 18, 19, 20 & 21, 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 Fishman property has not been completely restored to preconstruction condition; and

**WHEREAS**, Borough Council has reviewed the claims being advanced by Arnold N. Fishman and Temma Fishman and finds the claim for restoration damages reasonable and the proposed settlement in the best interests of the Borough.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Manager is hereby authorized to disburse and pay \$2247.00 to Arnold N. Fishman and Temma Fishman consistent with and upon the receipt of a fully executed copy of the attached release.

VOTE TO APPROVE RESOLUTION 90-08

Ayes: Casey, Weiss, Woodend  
Nays: None  
Resolution 90-08 is approved

Mayor Casey introduced resolution 91-08, seconded by Councilman Weiss

**RESOLUTION 91-08**

**A RESOLUTION APPROVING CHANGE ORDER NUMBERS 15, 16, AND 17, FOR THE PROJECT KNOWN AS MEDFORD LAKES BOROUGH HALL, AMENDING THE TENANT FIT-OUT CONTRACT WITH W.J. GROSS, INC., FROM \$761,213 TO \$764,181, AND INCREASE OF \$2,968.**

**WHEREAS**, Change Order Numbers 15, 16 and 17 for the project known Medford Lakes Borough Hall are required to complete the project; and

**WHEREAS**, Change Order Numbers 15, 16 and 17 dated May 5, 2008 amends the contract with W.J. Gross, Inc. from \$761,213.00 to \$764,181.00, a increase in the contract of \$2,968.00; 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 15, 16 and 17 be and is hereby approved.

**BE IT FURTHER RESOLVED**, that Change Order Numbers 15, 16 and 17 hereby amends the contract price from \$761,213.00 to \$764,181.00, a increase in the contract of \$2,968.00; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to execute the necessary documents relative to this change order.

VOTE TO APPROVE RESOLUTION 91-08

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 91-08 is approved

**PAYMENT OF BILLS**

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

VOTE TO APPROVE BILL LIST FOR PAYMENT

Ayes: Casey, Weiss, Woodend

Nays: None

Payment of bills is approved

**ADJOURNMENT TO EXECUTIVE SESSION**

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

**RESOLUTION 92-08**

**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 the Superior Officers contract, municipal cabin furniture contract, Tregressor property dispute, and NE Remsco/Alaimo/Dewberry contract disputes; 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



