

BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL/REORGANIZATION MEETING
January 8, 2009

The Regular Council/Reorganization Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in Oaks Hall at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ 08055 beginning at 7:30pm. Following the pledge of allegiance and moment of silence (Council and the public observed a moment of silence to honor service men and women defending our country), Clerk McIntosh 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 and (4) filed with the Municipal Clerk. Advance written notice of this meeting was mailed or emailed to all persons who requested such notice according to the Clerk of the Municipality.

ROLL CALL

Clerk McIntosh called roll. Mayor Paul G. Weiss, Esq., Councilman Timothy S. Casey and Councilman Gregory C. Lackey answered in attendance. Also present were Manager Geoffrey D. Urbanik and Deputy Manager/Acting Clerk Mark J. McIntosh.

PUBLIC COMMENT

Mayor Weiss opened the meeting to public comment for items not listed on the printed agenda

Richard Thurber, 198 Chippewa Trail:

- What is the Borough going to do with the ponding of water on Beach Drive at Chippewa Trail?

Mayor Weiss asked Engineer Wayne Simpson, PE with Alaimo Group and in attendance what the status was on this issue.

Mr. Simpson stated that he would inspect the area after the meeting and also have an inspector investigate the roadway tomorrow to see if any settling was occurring and report back to Manager and Council.

Joe Aramondo, 285 Shingowack Trail:

- Borough should utilize Colony News less and use the web site, tax bill inserts and a quarterly newsletter to disseminate Borough information.
- Can the bill list be attached to the posted meeting agenda? It is done by the MLBOE.

Pete Rogers, 156 Apache Trail:

- Would like an update on COAH requirements for Medford Lakes.

Mayor Weiss explained that the third round rules were currently being challenged by the League of Municipalities and the Borough Solicitor was reviewing options available to the Borough. The Pinelands Commission has not weighed in on the rules but was expected to on behalf of pinelands communities.

Councilman Casey stated that for builders remedy the builder typically needs a parcel large enough.

Mayor Weiss closed public comment

APPROVAL OF MINUTES

Mayor Weiss motioned, seconded by Councilman Lackey to approve the following minutes as presented:

1. Regular Council Meeting – December 18, 2008

VOTE TO APPROVE MINUTES:

Ayes: Weiss, Lackey, Casey

Nays: None

December 18, 2008 minutes are hereby approved

Mayor Weiss motioned, seconded by Councilman Casey to approve the following minutes as presented:

1. Budget Workshop Meeting – December 22, 2008

VOTE TO APPROVE MINUTES:

Ayes: Weiss, Casey, Lackey

Nays: None

December 22, 2008 minutes are hereby approved

REPORTS

Manager Urbanik highlighted the following:

- The office computer network server has failed. The estimated replacement cost is \$5,000 to \$6,000.
- The units age is 2001
- We are currently using a loaner from our IT contractor
- The Labrie trash truck is out for repairs at a cost of \$4,000
- The sound recording system contractor is almost complete installation

Mayor Weiss asked that a written confidentiality agreement be completed with the server repair vendor.

Councilman Casey will forward the manager a sample non-disclosure agreement.

Councilman Lackey asked the manager to see if Pat McCorrison could stay on to bridge the gap before his replacement was found.

Deputy Manager/Acting Clerk McIntosh highlighted the following:

- Next week the County will be activating the new traffic signals.
- Deb Klemas, Planning Board Chairperson has requested to be on the January 14, 2009 agenda to present Borough Council with their 2008 Resolutions.
- The resident of 136 Chippewa Trail (Hicks) called to report flooding in her basement when it rains 3 inches or better. She believes this is caused by the new dams and not being able to raise/lower boards like before.
- Submitted press releases to the Web and Colony news covering; 2010 Council election, POD/dumpster Ordinance, Environmental Commission vacancies and census bureau recruitment.

Mayor and Council directed the Clerk to have Geoff Goll, PE (Princeton Hydro) and Pete Black, PE (Dewberry/Goodkind) attend the January 28th workshop to discuss the Upper and Lower lake issues.

OLD BUSINESS

Mayor Weiss expects to have a report for the meeting on January 14th.

CONSENT AGENDA RESOLUTIONS

Mayor Weiss stated that there are twenty-six (26) consent resolutions on the agenda would Council like any of them removed and placed for discussion?

Councilman Casey and Lackey stated that all were okay to remain.

DISCUSSION OF PENDING ORDINANCES

None

DISCUSSION OF PENDING RESOLUTIONS

None

NEW BUSINESS

None

PUBLIC COMMENT

Mayor Weiss opened the meeting to public comment.

Dave Wasson, 97 Wabun Trail:

- The planning board resolution mentioned a change in one member classification, please explain.

Clerk McIntosh stated a review of the current members showed Dave Crane listed as a class "4" member when he should have been classified as a class "2" member. This resolution will make the correction for the record.

Joe Aramondo, 285 Shingowack Trail:

- Frustrated with format of meetings
- Openings for various positions (i.e. planning board, historic, etc.) should be advertised
- Council always re-appoints without knowing member attendance, voting record, etc.
- The Borough seems to exclude people from involvement rather than include them.
- What's a PACO officer? How much do they get paid? Who is it?

Mayor Weiss stated that it is a requirement of the State, this person oversees that contracts are affirmative action compliant and it is the Clerk.

CLOSE PUBLIC COMMENT

Mayor Weiss closed public comment

ACTION ON ORDINANCES

None

ACTION ON CONSENT RESOLUTIONS

Mayor Weiss motioned, seconded by Councilman Casey to approve consent Resolution Numbers 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25 and 26.

Resolution Number: 1-09

ESTABLISHMENT OF SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2009

WHEREAS, the Open Public Meeting Law effective January 19, 1976 provides for the compilation and dissemination of a schedule of regular meetings for public bodies;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that the following be and hereby is a compilation of Regular meetings and Workshop meetings* to be held by this Council during the year. In compliance with the Open Public Meetings Law PL 1975 C. 23, 1, the Borough Council of the Borough of Medford Lakes disseminates the following **Annual Notice** of the schedule of meetings to be held during the calendar year 2009. All meetings (unless noticed) will commence at 7:30 PM prevailing time, in Oaks Hall, at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ 08055 on the following dates:

Regular Meeting

January 14, 2009
February 11, 2009
March 11, 2009
April 8, 2009
May 13, 2009
June 10, 2009
July 8, 2009
August 12, 2009
September 9, 2009
October 14, 2009
November 11, 2009
December 9, 2009

Workshop Meeting

January 28, 2009**
February 25, 2009
March 25, 2009
April 22, 2009
May 27, 2009
June 24, 2009
July 22, 2009
August 26, 2009
September 23, 2009
October 28, 2009
November 25, 2009
December 23, 2009

*Unless otherwise specified official action may be taken at either of these meetings.

**This meeting will commence at 8:00pm or upon completion of Municipal Court

Resolution Number: 2-09

RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE BOROUGH OF MEDFORD LAKES FOR THE YEAR 2009

WHEREAS, NJSA 40A: 5-14 mandates that the Governing Body of a Municipal Corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the State and organized under laws of the United States;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that, any financial institution or bank that is licensed to do business in the State of New Jersey and is covered by the GOVERNMENT UNIT DEPOSIT PROTECTION ACT, and the New Jersey Cash Management Fund, be and are, hereby designated as official depositories for Borough funds. Prior to the

deposit of any Municipal funds in the above mentioned depositories said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered.

RESOLUTION NO. 3-09

RESOLUTION AUTHORIZING SIGNATURES ON BOROUGH ACCOUNTS

WHEREAS, it is the desire of the Borough Council of the Borough of Medford Lakes to designate certain Borough Officials as signatories for Borough Bank Accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, New Jersey that the following Borough Officials are hereby authorized to sign checks or withdrawal slips:

- A. The following bank accounts of the Borough of Medford Lakes shall require two (2) signatures as followings: First Signature shall be that of the Mayor. In the absence of the Mayor, a Borough Councilperson shall sign. Second signature shall be that of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Acting Municipal Clerk shall sign. In the absence of the Chief Financial Officer and the Acting Municipal Clerk, the Borough Manager shall sign.

Accounts: Current Fund, General Capital Fund, Waste Water, Waste Water Capital, Police Body Armor, Environmental, Street Opening, Planning and Zoning, Animal Control, Municipal Alliance, Flood Relief, Public Defender, Unemployment, Special Law Enforcement,

- B. The Payroll account of the Borough of Medford Lakes shall require the signature of the Chief Financial Officer. In the absence of the Chief Financial Officer, the Mayor, Acting Municipal Clerk or Borough Manager shall sign.
- C. The Municipal Court Account and Municipal Court Bail Account of the Borough of Medford Lakes shall require the signature of the Court Administrator. In the absence of the Court Administrator, the Deputy Court Administrator or Municipal Court Judge shall sign.
- D. Any Bank Account not listed in this resolution shall require the signatures as listed in A above, unless a Resolution of the Governing Body is adopted.

Resolution Number: 4-09

A Resolution Authorizing the Establishment of a Temporary Budget

WHEREAS, N.J.S.A. 40A:4-19 requires the Governing Body to make appropriations to provide for the period between January 1, 2009 and the adoption of the Budget; and,

WHEREAS, The total appropriation shall not exceed 26.25 % of the total of the appropriations for the preceding fiscal year, less the appropriations for interest and debt redemption charges capital improvement fund and public assistance. Amount allowable for the Current Fund is \$1,097,375.02 and the amount for the Wastewater Utility Operating Fund is \$314,593.13;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the following appropriations constitute the 2009 Temporary Budget for the Borough of Medford Lakes:

<u>APPROPRIATION</u>	<u>AMOUNT</u>
ADMINISTRATION & EXECUTIVE	
Salaries & Wages	\$25,000.00
Other Expenses	\$7,000.00
MAYOR & COUNCIL	
Salaries and Wages	\$1,300.00
Other Expenses	\$200.00
CLERK	
Salaries and Wages	\$13,000.00
Other Expenses	\$5,300.00
FINANCE ADMINISTRATION	
Salaries and Wages	\$15,000.00
Other Expenses	\$1,500.00
AUDIT	
Other Expenses	\$11,000.00
DATA PROCESSING	
Other Expenses	\$16,000.00
COLLECTION OF TAXES	
Salaries and Expenses	\$6,000.00
Other Expenses	\$1,000.00
ASSESSMENT OF TAXES	
Salaries and Wages.....	\$6,000.00
Other Expenses	\$750.00
LEGAL SERVICES	
Other expenses	\$15,000.00
ENGINEERING SERVICES	
Other Expenses	\$5,000.00
HISTORIC	
Salaries and Wages.....	\$900.00
Other Expense.....	\$100.00
PLANNING BOARD	
Salaries and Wages.....	\$2,300.00
Other Expenses	\$1,700.00
UNEMPLOYMENT	
	\$1,000.00
SURETY BONDS	
	\$3,100.00
POLICE	
Salaries and Wages.....	\$250,000.00

Other Expenses	\$10,000.00
OEM	
Salaries and Wages.....	\$1,500.00
Other Expenses	\$200.00
Contribution to First Aid Organization	\$ 4,000.00
FIRE	
Other Expenses	\$15,000.00
FIRE OFFICIAL	
Salaries and Wages.....	\$3,600.00
Other Expenses	\$500.00
PROSECUTOR	
Other Expenses	\$1,700.00
STREETS AND ROADS	
Salaries and Wages.....	\$105,000.00
Other Expenses	\$15,000.00
SOLID WASTE	
Salaries and Wages.....	\$20,000.00
Other Expenses	\$16,000.00
BUILDINGS	
Other Expenses	\$5,000.00
VEHICLE	
Other Expenses	\$20,000.00
ENVIRONMENTAL	
Salaries and Wages.....	\$1,100.00
ELECTRICITY	\$10,000.00
STREET LIGHTS	\$4,000.00
TELEPHONE ..	\$6,000.00
NATURAL GAS.....	\$10,000.00
GASOLINE	\$20,000.00
PRINTING.....	\$2,000.00
LANDFILL.....	\$50,000.00
CONSTRUCTION CODE OFFICIAL	
Salaries and Wages.....	\$13,000.00
Other Expenses	\$8,000.00
ZONING CODE ENFORCEMENT	
Salaries and Wages.....	\$2,800.00

Other Expenses	\$1,000.00
CONTINGENT	\$.00
OASI.....	\$45,000.00
EMP PENSION	\$1,100.00
MUNICIPAL COURT	
Salaries and Wages.....	\$11,000.00
Other Expenses	\$2,000.00
PUBLIC DEFENDER	
Other Expenses	\$1,000.00
LIABILITY INSURANCE.....	\$100,000.00
INSURANCE	
Group Insurance for Employees	\$125,000.00
PFRS.....	\$.00
PERS.....	\$.00
BOND PRINCIPAL.....	\$
BOND INTEREST.....	\$
BAN PAYMENT	\$

TOTAL \$ 1,018,650.00

WASTEWATER UTILITY	
Salaries and Wages.....	\$ 125,000.00
Other Expenses	\$ 150,000.00
Capital Fund.....	\$.00
Bond Principal	\$.00
Bond Interest.....	\$.00
OASI.....	\$10,000.00
Unemployment Compensation ..	\$500.00
.....	TOTAL \$ 285,500

Resolution Number: 5-09

AUTHORIZATION OF NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES

WHEREAS, it is required to designate newspapers for publication of Legal Notices;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **The Central Record**, Medford, NJ published weekly, **The Burlington County Times**, Willingboro, NJ, published daily and the **Courier-Post**, Cherry Hill, NJ, published daily, be authorized as official newspapers for the publication of Legal Notices of the Borough: it being the intent of this resolution with respect to any Legal Notice that such may be published in either newspaper.

Resolution Number: 6-09

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF A PETTY CASH FUND

WHEREAS, N.J.S.A.40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Borough of Medford Lakes; and,

WHEREAS, said Petty Cash Fund was established by Resolution dated June 8, 1972 by the Borough Council of the Borough of Medford Lakes; and,

WHEREAS, it is the desire of the Borough Council that said fund be continued under direction of the Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey, that:

- 1. During the year 2009 Mark J. McIntosh, Acting Clerk be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$200.00 pursuant to the provisions of N.J.S.A 40A: 5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.*
- 2. Mark J. McIntosh, Acting Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.*

Resolution Number 7-09

A Resolution Creating a Change Fund for the Police Department to Process Requests for Reports

Whereas, certain funds are collected by the Police Department for copies of police reports, accident reports, etc; and

Whereas, the police department needs a change fund on hand to make change when needed.

Now, Therefore Be It Resolved, by the Mayor and Council of the Borough of Medford Lakes that a change fund in the amount of \$50.00 is authorized to be used by the Borough police department.

RESOLUTION NUMBER 8-09

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF SEWER SERVICES AND SETTING THE RATE OF INTEREST ON DELINQUENT SEWER SERVICES FOR THE YEAR 2009

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for taxpayer to be permitted a grace period for the payment of sewer services; and

WHEREAS, NJSA 40:14A-21 provides that the Governing Body may establish a grace period and fix the rate of interest to be charged; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that no interest shall be charged on sewer services which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all sewer services which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent sewer services shall be eighteen percent (18%) per annum for the year 2009; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

RESOLUTION NUMBER 9-09

A RESOLUTION ESTABLISHING A GRACE PERIOD FOR PAYMENT OF TAXES AND SETTING THE RATE OF INTEREST ON DELINQUENT TAXES FOR THE YEAR 2009

WHEREAS, the Borough of Medford Lakes has determined that it is desirable for taxpayer to be permitted a grace period for the payment of taxes; and

WHEREAS, R.S. 54:4-67 provides that the Governing Body may establish a grace period and fix the rate of interest to be charged; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that no interest shall be charged on taxes which are paid within ten (10) days of the date on which they become due, but interest shall be paid from the date due on all taxes which are paid more than ten (10) days after they become due; and

BE IT FURTHER RESOLVED, that the rate of interest on delinquent taxes and delinquent assessments shall be eight percent (8%) per annum for the year 2009 except when the total delinquency exceeds \$1,500.00, the interest rate shall be eighteen percent (18%) per annum on the portion in excess of \$1,500.00 and shall remain at eighteen percent (18%) (even if the amount is below \$1,500.00) until the account becomes current; and

BE IT FURTHER RESOLVED, that an additional penalty of six percent (6%) of the amount of the delinquency in excess of \$10,000.000 including taxes, assessments and sewer charges be charged to a taxpayer who fails to pay the delinquency prior to the end of the fiscal year.

RESOLUTION NUMBER 10-09

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND OR TO APPLY CREDITS FOR TAXES

WHEREAS, there are taxpayers of the Borough of Medford Lakes who are due to receive refunds without interest for duplicate tax payments; and

WHEREAS, there are taxpayers of the Borough of Medford Lakes who are due to receive refunds with five percent (5%) interest resulting from judgments by the Burlington County Board of Taxation pursuant to N.J.S.A. 54:3-27.2.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the Borough of Medford Lakes Tax Collector be and hereby is authorized with the concurrence of the Chief Financial Officer to make such refunds or to apply such credits at their discretion.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and CFO for their records.

Resolution Number: 11-09

A RESOLUTION AUTHORIZING THE ASSESSOR TO EXECUTE STIPULATIONS OF SETTLEMENT AND FILE ASSESSOR APPEALS.

WHEREAS, Statutory provision is made for the review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of the Tax Rate; and

WHEREAS, changes in property ownership at times necessitates adjustment to the Veteran and/or Senior Citizens deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local Assessor subject to Laws and Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Medford Lakes Council, County of Burlington, State of New Jersey, that the Assessor, fulfilling the duties and requirements of his office, be authorized to file with the Burlington County Board of Taxation such Appeals as may be necessary to maintain accuracy and equality in the assessment list of the Borough of Medford Lakes.

BE IT FURTHER RESOLVED, that the Assessor is hereby authorized to execute stipulations of settlement on behalf of the Municipality.

BE IT FURTHER RESOLVED, that a certified copy of this resolution accompany any Appeal filed by the Assessor with the Burlington County Board of Taxation.

Resolution No. 12-09

A RESOLUTION TO APPOINT MEMBERS TO THE HISTORIC PRESERVATION COMMISSION

WHEREAS, the Borough of Medford Lakes created an independent commission known as the "Historic Preservation Commission" for the purpose of reviewing construction applications within the Medford Lakes Historic District on September 25, 1986 by Ordinance No. 226; and

WHEREAS, the terms of two Class "A" members, one Class "B" member and one alternate member of the five member and two alternate member commission expired on December 31, 2008; and

WHEREAS, all of the expiring term members have expressed a desire to be re-appointed; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointments be made to the Historic Preservation Commission:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Joe Adamson	A	January 1, 2009 (4yr)	December 31, 2012*
Michael McQuaid	A	January 1, 2009 (4yr)	December 31, 2012
Donald Ferry, Jr.	Alternate 2	January 1, 2009 (2yr)	December 31, 2010
Brad Barker	B	January 1, 2009 (4yr)	December 31, 2012

*Expiration is the same as term appointment to the Planning Board

Resolution Number: 13-09

A RESOLUTION APPOINTING A MEMBER TO THE PLANNING BOARD AND CHANGING THE CLASSIFICATION OF ONE MEMBER

WHEREAS, the Borough has a need to fill a Class “4” position; and

WHEREAS, the Borough has a need to adjust a Class “4” member to a Class “2”.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey as follows:

1. Joe Adamson is re-appointed to the Planning Board as a Class “4” member with a term to expire December 31, 2012.
2. Dave Crane is re-classified as a Class “2” member with a term to expire December 31, 2009.

Resolution No. 14-09

A RESOLUTION TO APPOINT A MEMBER TO THE ENVIRONMENTAL COMMISSION

WHEREAS, the Borough of Medford Lakes pursuant to the provisions of N.J.S.A. 40:56A-1 et seq. created and established a commission known as the Medford Lakes Environmental Commission on January 25, 1979 by Ordinance No. 151; and

WHEREAS, the terms of three members of the seven member commission expired on December 31, 2008; one member has moved out of the Borough; and

WHEREAS, only one of the expiring members have expressed a desire to be re-appointed

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointments be made to the Environmental Commission:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Michael Keating	Rep to the Planning Board	January 1, 2009	December 31, 2011

Resolution Number: 15-09

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT
FOR A MUNICIPAL SOLICITOR**

WHEREAS, there exists a need for a Municipal Attorney; and

WHEREAS, the Borough of Medford Lakes has a need to acquire a Municipal Attorney pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the 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 one (1) year; and

WHEREAS, Peter C. Lange, Jr., Esq. will complete and submit a Business Entity Disclosure Certification which certifies that Peter C. Lange, Jr., Esq. 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 Peter C. Lange, Jr., Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, the Local Public Contract Law (NJSA 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with **Peter C. Lange, Jr., Esq.**
2. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-1 of the Local Public Contracts Law because, **Peter C. Lange, Jr., Esq.** is a person authorized by law to practice a recognized profession in the State of New Jersey, to wit, the profession of Attorney. These professional services are necessary and are required by this municipality.
3. A notice of this action shall be printed in The Central Record.
4. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
5. This resolution shall take place immediately.

Resolution Number 16-09

A RESOLUTION APPOINTING A RISK MANAGEMENT CONSULTANT

CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Medford Lakes has a need to acquire a Risk Management Consultant pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the 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 one (1) year; and

WHEREAS, Conner Strong Companies, Inc. will complete and submit a Business Entity Disclosure Certification which certifies that Conner Strong Companies, Inc. 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 Conner Strong Companies, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, the Governing Body of Medford Lakes Borough has resolved to join Camden County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Fund permit each municipality to appoint a RISK MANGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

NOW THEREFORE, be it resolved that the governing body of Medford Lakes Borough does hereby appoint Michael D. Smith of Conner Strong Companies, Inc. as its Risk Management Consultant in accordance with 40A: 11-5 and;

BE IF FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A: 11-5 (1), (a), (I) and that the Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

Resolution Number: 17-09

APPOINTMENT OF A PUBLIC DEFENDER AND SUBSTITUTE PUBLIC DEFENDER

WHEREAS, the Borough of Medford Lakes has a need to acquire a Public Defender and Substitute Public Defender pursuant to the provisions of N.J.S.A. 40A: 11-2(6); and

WHEREAS, the anticipated term of this contract is for one year ending December 31, 2009; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, this is a professional services contract rendered or performed by a person authorized to practice a recognized profession, whose practice is regulated by law and requires knowledge of an advanced type in accordance with N.J.S.A. 40A: 11-2(6); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **Ann Marie Emmons, Esq.** be and hereby is appointed Public Defender and **James D. Fattorini, Esq.** be and hereby is appointed Substitute Public Defender, both positions of the Borough of Medford Lakes for the term ending December 31, 2009; and

BE IT FURTHER RESOLVED that this appointment and contract be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95, Mandatory Affirmative Action Language and Mandatory Americans with Disabilities Act Language.

Resolution Number: 18-09

APPOINTMENT OF PROSECUTOR AND SUBSTITUTE PROSECUTOR

WHEREAS, the Borough of Medford Lakes has a need to acquire a Prosecutor and a Substitute Prosecutor as a Professional Services Contract; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, this is a professional services contract rendered or performed by a person authorized to practice a recognized profession, whose practice is regulated by law and requires knowledge of an advanced type in accordance from N.J.S.A. 40A:11-2(6); and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **Mark P. Tarantino, Esq.** be and hereby is appointed Prosecutor of the Borough of Medford Lakes for the term ending December 31, 2009 and **Frank P. Cavallo, Jr.** is appointed as Substitute Prosecutor of Medford Lakes for the term ending December 31, 2009; and

BE IT FURTHER RESOLVED that any Attorney practicing as a Municipal Prosecutor in the County is authorized to substitute prosecute in the event of a prosecutors scheduling problem. The substitution provision of this resolution shall not be deemed to authorize additional payment or to increase the prosecutor position line item.

BE IT FURTHER RESOLVED that this appointment and contract be and is made in accordance with and subject to the provisions of Public Law 1996, Chapter 95, Mandatory Affirmative Action Language and Mandatory Americans with Disabilities Act Language.

Resolution No. 19-09

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL

WHEREAS, the Borough of Medford Lakes has a need to acquire Bond Counsel pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the 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 one (1) year; and

WHEREAS, Raymond & Coleman, LLP will complete and submit a Business Entity Disclosure Certification which certifies that Raymond & Coleman, LLP 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 Raymond & Coleman, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, the Borough of Medford Lakes is empowered under N.J.S.A. 40A: 11-2(6) to retain and engage Bond Counsel; and

WHEREAS, the Contract Attached shall be active for the period of January 1, 2009 until December 31, 2009; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that a professional services contract for "Bond Counsel" is awarded to:

1. Mr. Thomas Coleman, III, of Raymond & Coleman, LLP, 325 New Albany Road, Moorestown, NJ 08057.
2. The agreed to contract attached shall be for the period of 1/1/09 to 12/31/09.
3. The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.
4. The Business Disclosure Entity Certification and the Determination of value be placed on file with this resolution.

Resolution Number: 20-09

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR MUNICIPAL AUDITOR SERVICES

WHEREAS, the Borough of Medford Lakes has a need to acquire a Municipal Auditor pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the 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 one (1) year; and

WHEREAS, Inverso & Stewart will complete and submit a Business Entity Disclosure Certification which certifies that Inverso & Stewart 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 Inverso & Stewart from making any reportable contributions through the term of the contract; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, there exists in the Borough of Medford Lakes a need for a Municipal Auditor to perform Auditing services for the Borough in connection with the preparation of the annual audit and financial statements; and

WHEREAS, the Local Public Contracts Law (NJSA 40A: 11-1 et seq) requires that the resolution authorizing awarding of contracts for Professional Services without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that **Robert Stewart of Inverso & Stewart**, be and is, hereby appointed as the Municipal Auditor for the Borough of Medford Lakes for the calendar year 2009.

This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because it is a recognized profession licensed and regulated by the law.

A copy of this resolution shall be published as required by law.

The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

This resolution shall take place immediately.

RESOLUTION NUMBER 21-09

A RESOLUTION ADOPTING RULES AND REGULATIONS REGARDING IMPLEMENTATION OF LICENSING FEES

WHEREAS, Ordinance No. 478, as amended, at Section 9, provides that rules and regulations may be imposed by Resolution, implementing licensing fees;

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the following fees shall be in effect until further notice:

DOGS

\$8.20 Spayed and Neutered
\$11.20, if not spayed and neutered.
\$10.00 Late Charge (to be assessed 30 days after due date)

CATS

\$8.20 Spayed and Neutered

\$11.20, if not spayed and neutered.
 \$10.00 Late Charge (to be assessed 30 days after due date)

The late charge shall be due and payable for dogs and cats that are owned prior to January 31, 2009, annually, thirty (30) days after such date. For dogs and cats that are acquired after January 31, 2009, the late charge shall be due and payable thirty (30) days after the licensing is required under Section 6B, C and D.

Resolution No.: 22-09

A RESOLUTION APPOINTING CROSSING GUARDS FOR 2009

WHEREAS, it is the desire of the Borough to utilize Crossing Guards to assist in the safe movement of our children and other residents as they cross identified Borough crosswalks during School hours; and

WHEREAS, the New Jersey State Statute governing Crossing Guards requires that they be appointed each year; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position of Crossing Guard; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that the following appointment(s) be made as Crossing Guards:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement of Term</u>	<u>Expiration of Term</u>
Diane Albrecht	Crossing Guard	January 1, 2009	December 31, 2009
Irene Bamford	Crossing Guard	January 1, 2009	December 31, 2009
Janet Dwier	Crossing Guard	January 1, 2009	December 31, 2009
Kevin Dwier	Crossing Guard	January 1, 2009	December 31, 2009
Leslie Ferry	Crossing Guard	January 1, 2009	December 31, 2009
Barbara Kinder	Crossing Guard	January 1, 2009	December 31, 2009
Joseph O'Neill	Crossing Guard	January 1, 2009	December 31, 2009
Lou Potter	Crossing Guard	January 1, 2009	December 31, 2009
Ann Schaeffer	Crossing Guard	January 1, 2009	December 31, 2009
Kenneth Thompson	Crossing Guard	January 1, 2009	December 31, 2009
David Wasson	Crossing Guard	January 1, 2009	December 31, 2009

Resolution No. 23-09

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT FOR ANIMAL CONTROL OFFICER WITH UPPER FREEHOLD TOWNSHIP

WHEREAS, the Township of Upper Freehold employs an Animal Control Officer; and

WHEREAS, the BOROUGH OF MEDFORD LAKES is in need of an Animal Control Officer; and

WHEREAS, the Township of Upper Freehold is agreeable to providing the service of an Animal Control Officer to various Municipalities for a fee and upon certain specified conditions; and

WHEREAS, the Interlocal 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 Upper Freehold agrees to provide animal control 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 interlocal services agreement for an Animal Control Officer (ACO) with Upper Freehold Township.

- 1. This agreement (attached) shall be in effect for twenty-four (24) months effective January 1, 2009 and ending December 31, 2010.*

Resolution No. 24-09

**RESOLUTION APPOINTING THE ACTING BOROUGH CLERK AS
AMERICANS WITH DISABILITIES COORDINATOR**

WHEREAS, every municipality is required to designate an ADA Coordinator; and

WHEREAS, the ADA Coordinator's role is to ensure compliance with the Americans with Disabilities Act.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby appoints the Acting Borough Clerk as ADA Coordinator for the Borough of Medford Lakes for year 2009.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon adoption according to law.

Resolution No. 25-09

**RESOLUTION APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER
AFFIRMATIVE ACTION**

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey hereby appoints the Acting Borough Clerk as the Public Agency Compliance Officer for a one-year term ending December 31, 2009.

Resolution Number 26-09

**AUTHORIZING INVESTMENT OF IDLE FUNDS
AND FUND TRANSFERS**

WHEREAS, it is desirable that idle funds of the Borough of Medford Lakes be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Borough expenses or for the purpose of effecting investments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, New Jersey that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles such as investments to the investing institution; and

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Medford Lakes that it does authorize the Chief Financial Officer to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from Borough checking or savings accounts to other Borough accounts;
2. To or from Borough checking or savings accounts to other Borough accounts specified by banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Medford Lakes, New Jersey.

VOTE TO APPROVE RESOLUTION NUMBERS

1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25 and 26.

Ayes: Weiss, Casey, Lackey

Nays: None

Resolutions *1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25 and 26* are approved.

ACTION ON RESOLUTIONS

None

CORRESPONDENCE

None required discussion

BILL LIST

Mayor Weiss motioned for approval of Bill List as presented, seconded by Councilman Lackey

VOTE TO APPROVE PAYMENT OF THE BILL LIST

Ayes: Weiss, Lackey, Casey

Nays: None

Bills are approved for payment

CLOSED SESSION

Mayor Weiss motioned to adjourn the public meeting, Seconded by Councilman Casey and enter into an Executive Session to discuss employment matters related to the Wastewater/Public Works Superintendent position and the Municipal Clerk. Also to discuss a collective bargaining agreement between the Borough and the MLPOA.

Resolution No. 27-09

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Borough Council of the Borough of Medford Lakes is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Borough Council of the Borough of Medford Lakes to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12 b and designated below:

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- XXXXX (4) Matters Relating to Collective Bargaining Agreements: **Related to the MLPOA Contract**
Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

- _____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- _____ (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- _____ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:
- Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
- XXXXX (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting: **Interview for Wastewater/Public Works Superintendent and Acting Clerk Re-Appointment**
- _____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

Now, Therefore, Be It Resolved by the Borough Council of the Borough of Medford Lakes, assembled in public session on Thursday, January 8, 2009, that an Executive Session closed to the public shall be held on Thursday, January 8, 2009, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

VOTE TO ADJOURN TO EXECUTIVE SESSION

Ayes: Weiss, Casey, Lackey

Nays: None

Public Meeting adjourned; Resolution 27-09 is approved

Mayor Weiss motioned to reconvene the public meeting, Seconded by Councilman Lackey

VOTE TO RECONVENE THE PUBLIC MEETING

Ayes: Weiss, Lackey, Casey

Nays: None

Public Meeting Opened

Mayor Weiss motioned to adjourn the public meeting, Seconded by Councilman Casey

VOTE TO ADJOURN PUBLIC MEETING

Ayes: Weiss, Casey, Lackey

Nays: None

Public Meeting adjourned

January 8, 2009 Minutes: MJM