

Medford residents outspoken about deal with contractor

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In Medford, an affluent suburb tucked in the Pinelands, usually empty council meetings have recently featured shouting and accusations of corruption.

Unsigned fliers assailing township politicians have made the rounds.

This week, Mayor David Brown told residents at a sometimes-raucous meeting that officials did not expect an agreement to allow a contractor to use municipal land at no cost - in exchange for improving the lot and some township roads - would create such a problem.

Published reports, disputes with the Pinelands Commission, and council's renewal of the 2007 agreement, all in recent months, have aggravated the controversy.

Some have expressed anger over noise and traffic from the Mount Construction operation on township land off Gravelly Hollow Road, next to the public works yard and near housing.

"We are going to do everything we can to help the residents who have suffered" in recent years, Brown said, acknowledging that it had been "a good deal" for Medford.

David Smith, president and CEO of the Berlin company, said he also used the property for business unrelated to Medford.

"We entered into the Mount Construction agreement with all good intentions," Brown said, noting that the property had been a "pit" and that making it what it was today would have cost the township more than \$500,000.

"I understand you want to see how you can work it out so there's not so much noise but we don't want it that way. We want them to find someplace else to go," resident Maureen LaPlante said to applause from an audience of about three dozen people at Tuesday night's meeting.

Said another: "It's really time for Medford residents to take a stand. It's time to stop funding projects for friends of people in power."

Still others stuck up for the Township Council and expressed disgust at anonymous fliers that wound up in mailboxes this week urging residents to attend the meeting and asking, "Is NJ corruption in your back yard?"

"Nobody signed it," one resident said.

Bill Buoni chimed in that he was the author. Bearing a thick stack of Mount Construction's bills and other documents, he had minutes earlier ended a tirade against the agreement.

Smith, the company CEO, did not return a message left at his office yesterday but he said in an interview last month, "I'm sorry for any inconvenience we've imposed on [residents]. I fear that in some cases it's overstated and in fact I've only done what I've been legally entitled to.

"I'm more upset that my neighbors are upset with me than anything."

Recently, residents have also called into question the agreement's compliance with government regulations. Officials have said the agreement is legal.

Brown and township solicitor Rick Hunt met with the residents earlier this month to hear them out. They say they are still investigating the matter.

Mount Construction, which has worked for Medford since the early 1990s, was the sole bidder on a utility-repairs contract awarded in August 2006 with an option to renew it annually over five years.

The pact was amended in February 2007 to allow Mount to use the lot to store equipment to be used for emergency repairs. The contractor in return would make improvements to the site and to local roads, among other things.

Smith held campaign fund-raisers at his home in Medford in 2007 and 2008 - for Scott Rudder during his successful run for Assembly, and for Chris Myers in his failed bid for Congress. Smith and local officials say the functions were not linked to favoritism.

The township has paid the company at least \$6.5 million so far under the contract, though the first three years of the agreement were bid at less than half that amount. Flooding in April 2007 led to some of the unexpected costs.

Officials claim that if more devastating floods like those that struck in 2004 and 2007 occur, having a standing emergency-repairs agreement eases the reimbursement process with the Federal Emergency Management Agency.

Acting on a resident's tip, the Pinelands Commission discovered that the township had not applied for a required development permit to allow Mount Construction to operate at the site and it instructed Medford in 2008 to file. Township officials said they did not believe they needed a permit but wanted to cooperate; the township sent in the paperwork in June.

On Aug. 21, two days after Smith was quoted in *The Inquirer* saying he used the land for purposes unrelated to township public works, the commission sent Medford a letter noting the activity and adding, "Please note that commercial uses do not appear to be permitted in" the zoning district.

Zoning regulations for the area allow for parks, public, and educational purposes. Officials contend the contractor's activity falls into the "public" category, which includes municipal uses.

The letter also noted that the application to the Pinelands Commission was incomplete and it outlined steps needed to "resolve the outstanding violation."

A handful of residents showed up at a council meeting days later to voice concerns. A shouting match ensued, according to participants.

That night, council voted to renew the agreement with Mount Construction for another year.

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