

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
SEPTEMBER 28, 2000**

The regularly scheduled meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the Oaks Hall Council Chambers beginning at 7:40pm. Mayor Casey presided. 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, and (4) 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.

Answering Roll Call were: Mayor Timothy S. Casey, Councilman Joseph A. Aromando, and Councilman Gary F. Woodend.

**PUBLIC COMMENT**

John Heitman, 23 Natchez Trail – Spoke about the Redevelopment Program, which was voted on during the previous Planning Board meeting on Monday night. The tie vote will allow the Borough Council to revisit the issue. Mr. Heitman urged Council to take advantage of State monies available for such a plan.

Dave Wasson, 97 Wabun Trail – Invited everyone to Freedom Park in Medford on October 14, 2000, for the Governor's Council on Alcohol Abuse Walk. This is a countywide endeavor; registration forms are available in the Borough office and the Colony office. Mayor Casey noted this is also the date for the Police Department's Child Seat Safety Checkpoint and A/Manager Murray advised this is also the Colony's annual Borough Cleanup Day.

Cynthia Maron, 70 Seneca Trail – Reported she has a problem with standing water in her yard, which is runoff from the yard next door at 74 Seneca Trail, the Doyle property. She is concerned for the health and safety of area residents now with West Nile Virus being a problem from mosquitoes and standing water.

Tom Brinkerhoff, 11 Cochise Circle – He wanted to thank the members of Council and the Public Works Department for their assistance in beautifying the traffic circle at the entrance to Cochise Circle. He was representing the residents of the trail in relaying their appreciation. Councilman Aromando stated this was a joint project between the residents of the trail and the Borough. He would like to use it as an example in an attempt to beautify other islands through the Borough.

**PAYMENT OF BILLS**

Councilman Aromando made a motion, seconded by Councilman Woodend, to pay the bills on the Bill List.

**VOTE TO APPROVE PAYMENT OF BILLS:**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**APPROVAL OF MINUTES FROM PRIOR MEETINGS**

Councilman Woodend made a motion, seconded by Councilman Aromando, to approve the Minutes of August 31, 2000 meeting.

VOTE TO APPROVE PRIOR MINUTES:

Ayes: Casey Aromando, Woodend

Nays: None

Motion carries

**RESOLUTIONS**

Mayor Casey introduced the following Resolution, seconded by Councilman Aromando:

**Resolution Number: 88-00**

**A RESOLUTION AUTHORIZING THE  
ISSUANCE OF A RAFFLE LICENSE TO THE  
SHAWNEE BAND PARENTS ASSOCIATION**

**WHEREAS**, Shawnee Band Parents Association has qualified in the prescribed manner and application to hold a 50/50 raffle offering cash as a prize; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the raffle is to be conducted according to law;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, New Jersey that a license to conduct the aforementioned raffle be and is hereby granted to the Shawnee Band Parents Association.

PUBLIC COMMENT: None

VOTE ON ADOPTION:

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

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Mayor Casey introduced the following Resolution, seconded by Councilman Aromando:

**Resolution Number: 89-00**

**A RESOLUTION AWARDED A CONTRACT FOR  
THE CONVERSION OF A STREET SWEEPER TO  
A TANKER TRUCK FOR USE BY THE BOROUGH  
FIRE DEPARTMENT**

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**WHEREAS**, pursuant to the provisions of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) bids were received and opened in public for the conversion of a street sweeper into a tanker truck for use by the Borough Fire Department; and,

**WHEREAS**, the following bid was so received:

Lee's Emergency Equipment, Inc.  
326 East Main Street  
Tuckerton, NJ 08087  
Bid Amount: \$73,110.00;

**WHEREAS**, it is the desire of the Borough Council to award a contract for the aforementioned purpose to Lee's Emergency Equipment, Inc.;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, New Jersey that a contract by and between the Borough of Medford Lakes and Lee's Emergency Equipment, Inc., for the conversion of a street sweeper into a tanker truck in accordance with the plans and specifications as set forth in the bid specifications be and is hereby authorized and approved.

**BE IF FURTHER RESOLVED** that the total amount of the aforementioned contract shall not exceed \$73,110.00.

**COUNCIL COMMENTS:** Chief Wingert reported this was a successful bid, and came in under budget. The tanker will augment the Fire Department's ability in fire suppression. It is a good bid and they are good contractors.

Mayor Casey questioned whether the tanker could be outfitted under budget. Chief Wingert stated they would be going back to basics and giving up extras to keep the process under budget. The department would be foregoing items that don't affect the work the truck can do. This truck is large enough to help, but small enough to drive on the Borough's trails. There will be a four to six month conversion process. It will give the department 10 to 12 minutes of attack.

Councilman Aromando questioned whether the people who will be driving the truck had checked it out for possible future problems. Chief Wingert stated it had been checked from a drive-ability point of view and had been well maintained. Councilman Aromando asked what it would cost to purchase a 2,000 gallon new tanker. Chief Wingert replied between \$150,000 and \$155,000, and it would be comparable to the converted one the department will have.

Discussion followed to determine whether or not the Borough could get some percentage of funding for the tanker from Medford Township, due to the mutual aid response program the two towns enjoy. Chief Wingert will be meeting with Medford Chief Addezzio and hopes to have information about this funding by the second meeting in October.

Councilman Aromando stated he feels uneasy about voting to approve the purchase of the tanker without seeing a copy of the contract. Solicitor Vogdes stated a contract is not drawn up until after the resolution is approved and the specs are detailed. He assured Councilman Aromando that the contract would be a simple one and in the standard format.

Councilman Woodend stated he felt the amount being voted on for the tanker was too large, especially when he was sitting in a condemned building. He agrees with a need for a tanker, but would like to postpone the purchase until it can be further researched.

PUBLIC COMMENT: None

VOTE ON ADOPTION:  
Ayes: Casey, Aromando  
Nays: Woodend  
Resolution carries

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Mayor Casey introduced the following Resolution, seconded by Councilman Woodend:

**Resolution Number 90-00**  
**A RESOLUTION AUTHORIZING AN EMERGENCY**  
**APPROPRIATION FOR SEWER MAIN REPAIRS ON**  
**MISHEMOKWA TRAIL**

**WHEREAS**, an emergency has arisen with respect to the repair of a collapsed sewer main on Mishe Mokwa Trail in the 2000 Sewer Utility budget for the aforesaid purpose, and N.J. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

**WHEREAS**, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$23,000.00 and three percent of the total operating appropriations in the budget is \$27,808, and

**WHEREAS**, the foregoing appropriation together with prior appropriations exceeds three percent of the total current appropriations (including utility operating appropriations) in the budget for the year 2,000,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, New Jersey, that in accordance with the provisions of N.J.S. 40A:4-49 petition be made to the Director of Local Government Services for permission to exceed the statutory limitation of 3% for the creation of an appropriation for the purpose state above in accordance with the following:

1. An emergency appropriation be and the same is hereby made for sewer main repair in the amount of \$23,000.
2. That said emergency appropriation shall be provided for in full in the 2001 budget.
3. That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S. 40A:4-48 and in accordance with the provisions of N.J.S. 40A:4-51.
4. That such note shall be executed by the Chief Financial Officer and by the Municipal Clerk.
5. That said note shall be dated September 28, 2000, may be renewed from time to time and such note and any renewals thereof shall be payable on or before December 31, 2001.

- 6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy thereof will be transmitted to the Director of Local Government Services.
- 7. That two certified copies of this resolution be filed with the Director of Local Government Services.

COUNCIL COMMENTS: Councilman Aromando stated he was not clear on the format for payment, and asked whether the cost could come from the Capitol Fund. A/Manager Murray replied that this way it would not have to go out for public bid. Paul Thomas stated it could be paid from the resolution or from the Capitol Fund.

Councilman Aromando asked whether it would affect the money allocated for WasteWater, A/Manager Murray stated it was a wash and would not affect the money for WasteWater.

Councilman Woodend asked about the 3% rule in the language of the resolution. Paul Thomas stated that the DCA has the 3% rule, and if the amount needed exceeds it, the approval of the Finance Board is needed. Solicitor Vogdes advised the language concerning the 3% rule is unnecessary and should be eliminated from the resolution.

**PUBLIC COMMENT:**

Dave Wasson, 97 Wabun Trail – discussed the problem with the age of the sewer system. Since all the sewers in Medford Lakes are approximately the same age, he wondered if the Borough was looking ahead to future problems.

Mayor Casey advised the Borough had a program of “camera-ing” the sewer system. A previous report from Waste Water Superintendent Paul Hayden stated the Borough would have to look at the entire system over the next several years.

Councilman Aromando added that, in Mr. Hayden’s report, he stated there are 24 miles of sewer pipe in the Borough, and it would take approximately \$30 million dollars to replace them. Councilman Aromando suggested possibly establishing an intermediate system and budget for the repairs or replacement on a regular basis. A/Manager Murray was asked to contact Engineer Wayne Simpson to have him look for available grant money.

Fire Chief Wingert stated the sewers were built in the late 30’s by the WPA, and were state of the art at that time. He feels the Borough has gotten its money’s worth from the sewers, but that the volume and weight of current traffic is doing damage to the sewer lines underneath the trails.

Mayor Casey made a motion, seconded by Councilman Aromando, to table the vote on the resolution until the matter could be discussed further.

**VOTE ON MOTION:**

Ayes: Casey, Aromando, Woodend  
Nays: None  
Motion carries

**OLD BUSINESS**

Councilman Aromando made a motion, seconded for the purpose of discussion by Mayor Casey, to move the municipal court out of the fire department building.

He stated that, at the August 31, 2000, council meeting, he asked about the possibility of moving the court office out of the fire department building and giving the space back to that department. He stated the fire fighters are inconvenienced and the court is a part-time operation. He feels Council should decide to return the room to the fire department and move the court and house it in a corner or Oaks Hall. He added that there was a problem with equipment getting over heated, which could have caused a fire.

Fire Chief Wingert answered that, although he would appreciate the room and the fire department could use it, he feels the Borough is close to getting a new building and he is willing to make do and wait for that time. He feels it is hard to move the court facility and have it meet State standards, and he does not think it is prudent to do so at this time. He also stated the fire department is doing everything possible to make the equipment safe until the new facility is ready.

PUBLIC COMMENT: None

VOTE ON MOTION:

Ayes: Aromando

Nays: Casey, Woodend

Motion fails

Councilman Aromando asked Fire Chief Wingert about the old data concerning the number of times the Medford Lakes Fire Department responded into Medford to assist with fire calls. He stated that the current budget appropriated money to have a clerk collect the data and asked how long it would take to retrieve the data. Chief Wingert responded that they were just learning how to retrieve the data from the computer and that it would be available from the first of the year to date. He added that it would take at least one full day to obtain the data, but that they were working on it.

Mayor Casey stated it was not easy to get the data under the new system, but he is aware that Medford Lakes responds into Medford much more than Medford comes into Medford Lakes, but that there is a fee agreement with Medford for extra services.

Councilman Aromando stated he wants to make sure the taxpayers of Medford Lakes are not funding the fire fighting abilities of Medford. He wants to make sure the taxpayers aren't shortchanged by paying taxes for the salaries of Borough workers while they are in Medford fighting fires. Mayor Casey felt the Manager and Fire Chief could handle the problem.

Discussion followed as to the time and rate of compensation for Borough employees who leave the Borough during work time to go into Medford to fight a fire and what compensation should be.

PUBLIC COMMENT: None.

Councilman Aromando moved to ask the manager and the fire chief to collect data from January to date. There was no second.

Councilman Aromando asked about the state of the exhaust system in the firehouse. Chief Wingert said they have people coming in to check it, and could have a recommendation by the end of the year. There are two types of systems available. He feels he will have information to present to Council within four to six weeks.

A/Manager Murray asked about the possibility of using a portable system, which could be moved to other departments. Chief Wingert described the systems available, and said he is leaning toward a catalytic exhaust system.

PUBLIC COMMENT: None.

Councilman Aromando stated that, at a previous meeting, the manager and the police chief had been asked to view the tape of the McKendimen Road flooding. He asked if this had been done. A/Manager Murray said he would check on it.

### **NEW OR GENERAL BUSINESS**

Councilman Woodend suggested a change to the format of the council meetings. He wants to move the manager and solicitor's reports to a position before the old and new business.

PUBLIC COMMENT: None

Mayor Casey made a motion, seconded by Councilman Woodend, to change the agenda order of the Council Meetings of the Borough of Medford Lakes:

VOTE ON APPROVAL:

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

### **COMMUNICATIONS READ BY THE MUNICIPAL CLERK**

A/Manager Murray received the following communications:

1. Bids for the conversion of the street sweeper to a tanker.
2. Notification from the NJ Department of Environmental Protection, Dam Safety Inspection, that the dams at MisheMokwa Trail and at Beach Drive are due for inspection. Cost proposals were received from Kammerer Schweppenheiser Associates.

3. A letter from Marianne McCourt announcing her resignation as Secretary to the Historic Commission.
4. A report from Lou Potter, Code Enforcement Officer, concerning a basketball stand installed on Borough property.
5. A letter from resident John Fox regarding his tax abatement for the year 2000.
6. Proposals from Holberg and Adison, P.A. and from the Ragan Design Group for building design.

**PUBLIC COMMENT:** None.

## REPORTS FROM OFFICERS AND DEPARTMENTS

### MANAGER

A/Manager Murray reported the Dams Safety Proposals are on file in his office. Councilman Aromando asked for a cost estimate and asked why this had not been addressed before. Mayor Casey asked if the Council needed to pass a resolution to pay for the cost of the inspections. Solicitor Vogdes replied that a resolution could be ready for introduction at the Council meeting on October 12, 2000. Councilman Woodend wanted to know who the engineer is. A/Manager Murray answered it is the same engineer used by the Colony, which affords a better rate. Mayor Casey asked Solicitor Vogdes to prepare the resolution.

Linda Greatrex Quintance of 177 Mohawk Trail has been appointed to replace Marianne McCourt as the Secretary to the Historic Commission. Sherry Rockhill, a Borough office employee, will replace Susan Shourds as the Planning Board Secretary.

Councilman Woodend had comments about the basketball stand on the Borough property. A Borough truck damaged it. The homeowner advised Borough officials that the Code Official had given her permission to erect it at that location. A/Manager Murray and Paul Thomas agreed there is a zoning ordinance prohibiting erection of structures on Borough right-of-way. The Medford Lakes Code Official can not give permission for such a structure. Councilman Woodend stated the Borough could not use selective enforcement, and homeowners should be notified they are at risk if they build on Borough right-of-way. Solicitor Vogdes reported that there are violations on all trails, but that the JIF asks that all trails be clear so there is no risk of a lawsuit if there is damage to the homeowners property. He suggested a notice to homeowners that anything erected on Borough right-of-way would be at the homeowner's own risk. Councilman Woodend asked Mr. Vogdes to consider options and report back to Council.

A/Manager Murray reported that of the three RFPs sent to architects, two have been sent back and one stated they are not interested. Mayor Casey asked if it could be put on the agenda for the next Council meeting. It was decided to go into Executive Session at the conclusion of this meeting for the purpose of comparing the letters.

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A/Manager Murray reported the cleaning of the air ducts will take place on October 7, 2000. He will check with Police Chief Scott to determine if someone will be available to secure the police station during the cleaning.

Councilman Aromando commented on the last paragraph in the Manager's report to Council, which accuses him of continuing to stalk some Borough employees. He wants to truth to "come out" and wants those who are making such claims to come forward at a Council meeting and make them in public. He stated there is no basis for the accusations, and he simply keeps after Borough employees because he wants to rectify a cycle of neglect.

Councilman Aromando made a motion to have a closed executive session, in which Council could interview those employees who have complaints and have them file formal charges which could be heard in court. There was no second to the motion. Councilman Aromando then made a motion to "tell the people what's going on." There was no second to the motion.

Councilman Woodend read two memos from Pat McCorriston to the manager, in which he reiterated the harassment he feels from Councilman Aromando. Councilman Woodend stated it appears as though Councilman Aromando is investigating and making policy without the knowledge of the other members of Council. He discussed what would be the best format for talking with other Borough employees, as Councilman Aromando wanted. Discussion followed as to whether or not it should be done in a public Council meeting or in an executive session.

A/Manager discussed a letter from Medford Lakes resident John Fox. Mr. Fox is a longtime resident who, in February of 1999, was declared 100% disabled from a World War II injury. Mr. Fox addressed Borough Council. He applied for a tax abatement and was told by the State he would be eligible for the abatement effective March, 1999. He stated the Borough has denied it and he was told will appear on his 2001 taxes. He is asking for the abatement on his 2000 taxes. He stated the State of New Jersey reimburses the Borough, and it would not cost the Borough. Solicitor Vogdes advised Mr. Fox he would look into the matter and contact him.

Councilman Aromando discussed realigning the sewer payments to coincide with the tax payments. This would involve two mailings in 2001, to catch up to the tax bills. Paul Thomas stated this would not be a problem.

**PUBLIC COMMENT:**

Councilman Aromando made a motion, seconded by Mayor Casey, to adjust the billing cycle for sewer services.

**VOTE ON APPROVAL:**

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**SOLICITOR**

Solicitor Vogdes stated the animal ordinance is still under discussion and investigation.

The noise ordinance needs to be updated so as not to violate any State law.

The underage alcohol ordinance passed by Council was “disfavored” by Judge Sweeney. Mr. Vogdes stated the AOC is taking a stand and won’t approve the ordinance due to the addition of a community service section. Solicitor Vogdes has asked Judge Sweeney to revisit his decision concerning the ordinance; however, he does not want to annoy the judge and the AOC. He will remove the community service section if Judge Sweeney decides it should be removed. He acknowledged that previous Medford Lakes court cases using the ordinance were dismissed by visiting Judge McNerny on the recommendation of the court administrator, without input from the prosecutor.

A/Manager Murray stated he received a letter from Judge Bonnie Goldman, who oversees the court. She has contacted Court Administrator Leber, advising her she has concerns about how the court is run. Judge Goldman will be supervising the court and making recommendations. Mrs. Leber will be going on vacation and to date has not made arrangements to have the court office covered in her absence.

Councilman Woodend stated Council has gotten five ordinances from other towns with regard to their alarm ordinances. Mayor Casey asked that Council postpone discussion on the ordinance until the October 26 meeting.

**ADJOURNMENT**

Councilman Woodend made a motion, seconded by Mayor Casey, to adjourn to executive session to discuss the architect’s proposals and the police contract. Minutes from the executive session will be available to the public following the resolution of the police contract.

VOTE ON APPROVAL:  
Ayes: Casey, Aromando, Woodend  
Nays: None  
Motion carries

Respectfully submitted:

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Paul E. Thomas, Jr. RMC  
Borough Clerk

**ADJOURNMENT**

Councilman \_\_\_\_\_ made a motion, seconded by \_\_\_\_\_, to adjourn the meeting at \_\_\_\_\_pm.

**VOTE ON APPROVAL:   Ayes:**  
**Nays:**

Respectfully submitted,

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