

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
OCTOBER 11, 2001**

The regular meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in Oaks Hall Council Chambers beginning at 7:30pm. 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, (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.

Answering Roll Call for Borough Council were: Mayor Timothy S. Casey, Councilman Joseph A. Aromando, and Councilman Gary F. Woodend. Also present were Manager Julie Keizer and Solicitor Vogdes.

**PUBLIC COMMENT**

*None at this time.*

**PAYMENT OF BILLS**

Councilman Aromando advised Manager Keizer he would like to receive the bill list more in advance of the meeting. She will make every attempt to have them to Council by the Tuesday preceding the meeting.

Councilman Woodend made a motion, seconded by Mayor Casey, 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**

Councilman Aromando made a motion, seconded by Councilman Woodend, to approve the minutes of the Executive Session on September 27, 2001.

VOTE TO APPROVE MINUTES

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

Mayor Casey made a motion, seconded by Councilman Aromando, to table approval of the minutes of the Regular Meeting on September 27, 2001, until wording for Resolution 110-01 and Ordinance 474 could be added.

VOTE TO TABLE MINUTES

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

**RESOLUTIONS**

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

**RESOLUTION 114-01**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO THE MEDFORD LAKES LIONS CLUB**

**WHEREAS**, the Medford Lakes Lions Club has qualified in the prescribed manner and application to hold an on premises merchandise raffle on November 7, 2001; 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 Medford Lakes Lions Club.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 114-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution passes

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

**RESOLUTION 115-01**

**A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE NJDEP PERMIT FOR NAHMA TRAIL SEWER ESTENSION**

**WHEREAS**, it is the desire of the Borough Council of the Borough of Medford Lakes to proceed with the sanitary sewer extension on Nahma Trail, and

**WHEREAS**, it is necessary for the Borough Council to authorize the Municipal Manager to sign these permits;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Medford Lakes, New Jersey, that the following Borough officials are hereby authorized to sign the DEP permit for the Nahma Trail extension:

1. Julie Keizer, Municipal Manager, is hereby authorized to execute the Nahma Trail Sewer Extension permits.

**BE IT FURTHER RESOLVED** that a copy of this resolution is to accompany the NJDEP permit.

Councilman Aromando stated his position that this project should have been done much earlier. He questioned how much longer before work begins. Mayor Casey asked Manager Keizer to determine why it is taking so long. She advised the project has a starting date of March, 2002.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 115-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution passes

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

**RESOLUTION 116-01**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MEDFORD LAKES, NEW JERSEY, PROCLAIMING THE WEEK OF OCTOBER 23 - 31, 2001, RED RIBBON WEEK.**

**WHEREAS**, the Borough of Medford Lakes is a participating member of the Burlington County Municipal Drug Alliance; and

**WHEREAS**, the Municipal Drug Alliance is a consortium of local governments throughout Burlington County who have come together in an effort to combat the spread of substance abuse; and

**WHEREAS**, in an effort to focus national attention on the problems caused by substance abuse and its commitment to a "Drug--Free America", Drug Alliances across the country are urging the wearing of red ribbons during the week of October 23 - 31, 2001; and

**WHEREAS**, the Borough Council of the Borough of Medford Lakes wishes to express its support for the Municipal Drug Alliance's goal of a Drug--Free America;

**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. The week of October 23 - 31, 2001, be, and is, hereby proclaimed as "**Red Ribbon Week**" in the Borough of Medford Lakes.
2. The Borough Council of Medford Lakes encourages all of the citizens of Medford Lakes to show their support for the objective of a Drug-Free America by wearing red ribbons during this week.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 116-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

**CORRESPONDENCE**

Manager Keizer discussed plans for Medford Lakes to use Shamong Township's Municipal Building for court during the renovation of Oaks Hall, beginning with the November court date. The Borough will pay \$100 per session to Shamong, and proof of insurance has already been sent to them. This does not qualify as

shared services under REAP. Councilman Aromando asked if a resolution or contract would be needed. Solicitor Vogdes advised he had spoken with Steve Traub, at the Administrative Office of the Courts, who had assured him there would not be any problems. He suggested passing a resolution.

Mayor Casey introduced the following resolution, seconded by Councilman Woodend;

**RESOLUTION 117-01**

**A RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT REGARDING THE USE OF THE SHAMONG TOWNSHIP MUNICIPAL BUILDING TO HOLD MUNICIPAL COURT.**

**WHEREAS**, the Borough of Medford Lakes has requested the use of the Shamong Township Municipal Building for the purpose of holding the Borough's Municipal Court while the Borough's municipal Building is being renovated; and

**WHEREAS**, the Shamong Township Committee has approved the request memorialized by Shamong Township Resolution dated October 2, 2001;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk are authorized to enter into an Interlocal Services Agreement for the use of the Shamong Township Building for the use of the Municipal Court of the Borough of Medford Lakes for their monthly court from November, 2001, through December 2002, with the following conditions:

- (1) Payment to Shamong Township of \$100.00 per court session.
- (2) Provide the Township of Shamong with a certificate of insurance naming the Township of Shamong as co-insured in an amount not less than one million dollars (\$1,000,000.00) for liability and statutory limits for Worker's Compensation.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 117-01

Ayes: Casey, Aromando, Woodend

Nays: None

Resolution carries

**NEW BUSINESS**

**FACILITIES REPORT**

Site - Roland Noll advised Manager Keizer that he has ideas for full log for Oaks Hall which he feels would save money. Manager Keizer will meet with Joanne Tregresser, who resides at the lot next to the renovation site. They will discuss egress from her lot.

Trailer - ready for occupation. The paving will be shared through the Inter Local Services agreement.

Tank – the tank is under the left front corner of the current building. Mayor Casey asked if the State had given the Borough permission to leave the underground tank in place. It has. Chris Nole from ERI advised her it does not have to be removed. Manager Keizer added that the tank has been emptied, filled, and the wells around it have been successfully tested. Mayor Casey asked for further investigation.

*PUBLIC COMMENT: Dave Carlson, 110 Lenape Trail, stated the Borough should have a “Certificate of Abandonment” in place for each tank and it should be determined if they are filled with concrete or foam.*

VEHICLE USE POLICY – postponed until October 25, 2001.

### CELL TOWER

Manager Keizer explained to Council that Manager Keizer advised Council that Voice Stream planned to place a notice in the local papers, would send a notice to neighbors within a 200’ radius, and would have the crane up for one day on Saturday, October 20, 2001. They trouble getting the crane again for two days, and wanted to put it into place for only one day. Council had previously wanted three days. It was suggested they try for two days as a compromise. Councilman Aromando felt that Voice Stream had not done what Council asked them to do, and wanted to go out for bids for a tower at the location. Manager Keizer asked if Council does in fact want a tower at that location, which Council affirmed. Mayor Casey stated the Pinelands has already sited for a tower at that site, and he wanted to get public comment and input, which would require the crane to be at the site for at least two days. Manager Keizer added that Farmers and Mechanics Bank and Flanagans Mobil Station, both in Medford, are possible sites for a tower if the Borough did not opt for one. Manager Keizer will research a bidding process. Discussion will be on the agenda for the October 25, 2001, Council meeting.

*PUBLIC COMMENT: Dave Wasson, 97 Wabun Trail, asked Council to consider Signal Tower as a possible cell tower provider.*

HISTORIC ORDINANCE REVIEW – postponed until November 29, 2001

ZONING CHANGES – postponed until January, 2001

## **NEW BUSINESS**

### ANIMAL ORDINANCE

Councilman Aromando gave his draft of the ordinance to Solicitor Vogdes for review. He compared ordinances from other towns, and decided to try to make this a total animal ordinance, to include cat restrictions. He would like to identify cat owners, have them registered, and show proof of a current rabies vaccination. Councilman Aromando has included a section concerning habitual barking in his sample ordinance. Mayor Casey felt the frequency and duration of a barking dog were two important issues. Councilman Woodend added the Borough’s current ordinance uses wording of “a reasonable time.” Solicitor Vogdes suggested putting the animal and noise ordinances together into a nuisance ordinance, he will research the issue. The animal and noise issues will be on the agenda for the November 8, 2001 Regular Council Meeting, with a workshop at 6:00pm.

*PUBLIC COMMENT: Dave Carlson, 110 Lenape Trail, advised Council he has been to court twice after being issued a municipal ordinance summonses for allowing his dogs to bark. He stated he felt five or six minutes was a reasonable time limit for barking, with three minutes reasonable at night.*

NO SMOKING ORDINANCE – postponed until November 8, 2001.

MAPPING PROPOSAL REVIEW

Manager Keizer explained the wastewater system is the base system. Software to find storm drains and drafting points is extra. Council previously budgeted \$5,000.00 for the wastewater base system only. Evesham Township will be purchasing the extra program, possibly the Borough could rent the system from them. Manager Keizer asked Wastewater Superintendent Paul Hayden for his recommendation, which was to use CH2MHILL. Councilman Woodend had a concern about using an unknown company. Councilman Aromando felt Council should proceed with CH2MHILL, not Alaimo, following Mr. Hayden's recommendation. Solicitor

Vogdes suggested Council pass a resolution awarding a professional services contract to CH2MHILL to map the wastewater treatment facility.

*PUBLIC COMMENT: Dave Carlson, 110 Lenape Trail, advised Council this is his field. He is familiar with CH2MHILL. He has always found them to be credible, as they are a huge company and have the resources to do the job.*

Mayor Casey made a motion, seconded by Councilman Aromando, to award a contract to CH2MHILL.

VOTE TO APPROVE RESOLUTION 118-01

Ayes: Casey, Aromando

Nays: Woodend

Motion carries

SUMP PUMP – Mayor Casey asked Manager Keizer to ask Medford for a copy of their ordinance for Council to study. It will be rescheduled for the October 25, 2001, Council meeting.

JAMES PLAYFORD – Manager Keizer will draft a resolution, which will be presented to James at a basketball game at Vaughan Hall in his honor.

**REPORTS**

SOLICITOR

Mr. Vogdes stated that, with regard to a concern about Remington/Vernick and Pineland concerns, an agreement had been signed.

MANAGER

Crosswalk – the acceleration lane at Beach Drive has been removed. Councilman Aromando had some concerns about reducing the speed limit on Stokes with his recommendation being 35mph from Hapatee Trail to Beach Drive, and 30mph from Beach Drive the entire length of Stokes Road in Medford Lakes. He would also like a “pedestrian crossing” sign at the church crosswalk on Stokes Road. Manager Keizer explained the County Highway Department would be conducting a speed survey and she will ask Public Works Superintendent Pat McCorrison to order crosswalk signs.

Also during the discussion of roadways, Council discussed changes to the intersection at Tabernacle and Stokes Roads, and also at the Trading Post Trail intersection. They will re-introduce the issues after the first of the year, when grant approval is made.

Grants- Councilman Aromando asked Manager Keizer to compile a spreadsheet of all grants the Borough has applied for, or which are available. Mayor Casey asked for a section on the Manager's Report for grant information.

Bonds – Manager Keizer and Mayor Casey signed the Bonds, and Bond Council Tom Coleman has reviewed them. The Borough's documents were misplaced by the other Bond Council, which delayed their arrival at the Borough office. The book will be available for review in the Borough office. The money from the bonds is in a 30-day Certificate of Deposit, until it can be permanently invested. Councilman Aromando expressed his anger at not having been able to review the documents before they were signed. Mayor Casey stated he did examine them closely, and both Mr. Coleman and Solicitor Vogdes were satisfied with them. Solicitor Vogdes stated the signing followed usual procedure.

Conawaga Trail – Manager Keizer has not heard from the resident or their attorney, concerning the swimming pool which they have built in their yard which partially encroaches onto Borough property. She had recommended a price of 1/5<sup>th</sup> of the assessor's valuation of the property. Solicitor Vogdes does not feel it is a serious liability issue, and suggested letting the resident's attorney do the research. The property has been sold. Councilman Aromando would like the resident to own the entire property and pay taxes on it.

*PUBLIC COMMENT: Dave Wasson, 97 Wabun Trail, stated he did not feel this was a big tax impact issue. He suggested having assessor Doug Kolton assess the property, then the Borough could vacate the property, and the resident could pay the expenses.*

### **ADJOURNMENT**

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

### **RESOLUTION 119-01**

#### **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. That the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session is as follows:

**Lt. Martine contract**

2. That 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. That 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.

PUBLIC COMMENT: None

VOTE TO ADJOURN

Ayes: Casey, Aromando, Woodend

Nays: None

Motion carries

Meeting adjourned to Executive Session at 9:35pm

Respectfully submitted,

Julie Keizer, RMC  
Borough Clerk

