

**BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
JUNE 10, 2004**

The regular meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the Denby Annex of the Medford Lakes Colony beginning at 7:30pm. Mayor Woodend presided. Following the Pledge of Allegiance, Mayor Woodend 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.

Council and the public observed a moment of silence in honor of the passing of President Ronald W. Reagan.

Mayor Woodend introduced and read a mayoral proclamation, establishing Friday, June 11, 2004, as an official day of mourning in the Borough of Medford Lakes, also in honor of the passing of President Ronald W. Reagan. The proclamation was seconded by Councilman Wasson.

PROCLAMATION

WHEREAS, Ronald W. Reagan served as Governor of California and as the 40th President of the United States; and

WHEREAS, President Reagan's optimism, strength, humility and humor provided inspiration to Americans during a difficult time in this country's history; and

WHEREAS, President Reagan inspired us with his unshakeable faith in the values of our country; and

WHEREAS, President Reagan's patriotism, faith, courage and dignity are an enduring example for all citizens; and

WHEREAS, it is right and proper for the Borough of Medford Lakes to mourn the passing and honor the memory of President Reagan;

NOW, THEREFORE, I, Gary F. Woodend, Mayor of the Borough of Medford Lakes do hereby proclaim Friday, June 11, 2004, as a day to mourn and honor Ronald W. Reagan, 40TH president of the United States, in the Borough of Medford Lakes, and do hereby direct that the flag of the United States of America be flown at half mast at all municipal offices on that day, in recognition and mourning of the passing of President Ronald W. Reagan.

VOTE TO APPROVE MEMORIALIZE PROCLAMATION

Ayes: Woodend, Casey, Wasson

Nays: None

Proclamation is memorialized

Answering Roll Call for Borough Council were Mayor Gary Woodend, Councilman Timothy Casey and Councilman David Wasson. Also present were Solicitor Jim Vogdes, Manager Rich Knight, Deputy Clerk Mark McIntosh, Police Chief Frank Martine, and Emergency Squad Chief Rosemary Countess.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the Regular Council Meeting of May 27, 2004.

VOTE TO APPROVE MINUTES

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes are approved

ORDINANCES

There were no ordinances for consideration at the meeting.

RESOLUTIONS

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

RESOLUTION 86-04

A RESOLUTION APPOINTING A MUNICIPAL REGISTRAR

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

WHEREAS, the Borough desires to appoint Sherry Rockhill as Municipal Registrar; and

WHEREAS, Sherry Rockhill has served in the capacity of registrar since her certification in June 1991, by the Rutgers Center for Government Services and continues to perform the duties of this office; and

WHEREAS, the term for said office is established by N.J.S.A. 26:8-17, et seq;

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

*Sherry Rockhill, be and hereby is appointed, as
Municipal Registrar for the Borough of Medford Lakes.*

This is a three-year appointment; it does not reflect a salary increase for Ms. Rockhill.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 86-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 86-04 is approved

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

RESOLUTION 87- 04
A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS

WHEREAS, on June 12, 2004, the residents of the Borough of Medford Lakes will hold an annual Block Party; and

WHEREAS, said residents would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

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 Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e.
2. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Cayuse Trail between Mohawk and Nahma Trails
(contact: Kathy Miller, 191 Mohawk Trail)
Cochise Circle between #38 and #44
(contact: Beth Brunette, 42 Cochise Circle)
Paupukkeewis Trail between Askoran Trail and cul de sac
(contact: Pat Leopold, 148 Paupukkeewis Trail)
Tontonava Trail between Cheyenne and Kihade Trails
(contact: Amy Andress, 176 Tuckerton Road)

3. The aforementioned street closing shall be between the hours of 1:00pm and 6:00pm.
4. Block party contacts shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades.
5. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 87-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 87-04 is approved

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

RESOLUTION 88- 04
A RESOLUTION AUTHORIZING TEMPORARY TRAFFIC REGULATIONS

WHEREAS, on July 4, 2004, the residents of Meeshaway Trail will hold an annual Block Party; and

WHEREAS, said residents would like to close a specified trail within the Borough to enable safe pedestrian passage; and

WHEREAS, N.J.R.S. 39:4-197.3 provides that “the governing body of any municipality may, upon the adoption of a resolution declaring that an emergency or temporary condition dictates adoption of special traffic regulations within the scope of any of the items listed in subparagraph (1) b through h, (2) and (3) revised Statutes 39:4-197”; and

WHEREAS, it is in the best interest of public safety that special traffic regulations be imposed during the period of time during which the block parties are to be held;

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

6. The Borough Council of the Borough of Medford Lakes does hereby find and declare that a temporary condition dictates adoption of special traffic regulations within the scope of N.J.R.S. 39:4-197(1)e.
7. Pursuant to N.J.R.S. 39:4-197(1)e, the following trail shall be closed to vehicular traffic:

Meeshaway Trail between Sitting Bull and Piute Trails

8. The aforementioned street closing shall be between the hours of 9:00am and 9:00pm.
9. Block party contact person Ed Anderson, 142 Meeshaway Trail, Medford Lakes, shall be responsible for contacting the Medford Lakes Department of Public Works to obtain and return barricades.
10. The Chief of Police of the Borough of Medford Lakes is hereby ordered and directed to take all actions appropriate and necessary for the implementation of the foregoing temporary traffic regulations.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 88-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 88-04 is approved

OLD BUSINESS

CAVE PROPERTIES – Attending the meeting were Mr. Cave, his attorneys Pat McAndrews and Rich Israel, and his engineer, Mark Shourds.

Mr. McAndrews advised Council that Mr. Shourds had drawn up plans to widen Cree Trail to 20 feet, as Council had requested. The driveway plan will remain the same. As far as Mr. Andrews is concerned, there is no need for Pinelands approval; he considers widening the trail to be a maintenance aspect of the development. Solicitor Vogdes would like to have some sort of indemnification on file, releasing the Borough from fault if Pinelands approval is needed and not obtained.

The new plans have been submitted to Planner Joe Augustyn; Mr. Cave has not received correspondence from him concerning the plans.

All parties involved discussed the plans at length, attempting to reach an accord.

Solicitor Vogdes advised Council to “put pen to paper” and move the process along. He listed eight requirements to be met by Cave Properties:

- 1) a form of acknowledgement from the Pinelands stating their approval is not necessary
- 2) Neeta Trail must be widened to approximately 18 feet
- 3) tree removal on Cree and Pocahontas Trails
- 4) Cree Trail widened to 20 feet with the use of blacktop and stone
- 5) increase the radius where Neeta Trail intersects Cree Trail
- 6) Engineer Chris Noll’s satisfaction with the project
- 7) Borough reserves the right to improve the Neeta Trail
- 8) homeowners are responsible for brush and leaf removal

Deputy Mark McIntosh will advertise the Public Hearing for the resolution.

PUBLIC COMMENT: None

Councilman Casey made a motion, seconded by Councilman Wasson, to approve the tentative agreement

Ayes: Casey, Wasson

Nays: None

Abstain: Woodend

Motion is approved

REHAB OF 38 CUTCHOGUE TRAIL – Code Official Tom Heck, a representative of the bank that holds the mortgage on the property, and Solicitor Vogdes met regarding the residence. It has deteriorated so badly it has become a hazard; neighbors have concerns about it's safety. A potential buyer for the property has been identified. Hera Tech is on location removing the mold from the home.

Council was not happy with the progress being made on the property. Solicitor Vogdes was asked to forward a letter to the bank's attorney, advising them to begin immediate cosmetic repair or the property will be condemned and sold. Mr. Vogdes will ask the bank to send a letter to residents within 200' of the property, advising them of the progress.

CELL TOWER – Nextel is in the process of locating on the tower. AT&T has merged with Cingular and will not be locating on the tower. Council discussed whether or not they have honored their lease.

OAKS HALL – Solicitor Vogdes received the Madden boilerplate agreement and is satisfied with it.

NEW BUSINESS

MLAA SIGN REQUEST – the Medford Lakes Athletic Association requested approval to erect temporary signs notifying residents of sports registrations. They want to put the signs in front of Whelihans and at the intersection of Lenape and Tuckerton. Council did not want to take action on the request; the sign ordinance is pending. Police Chief Frank Martine suggested that the ordinance allow for banners across Trading Post Trail.

PROPERTY TAX INCENTIVE – Councilman Wasson asked Council to consider a property tax incentive to encourage residents to improve or renovate their properties. Manager Knight was not in favor of the incentive; the League of Municipalities suggests it only for run-down areas; he does not want to designate Medford Lakes residents as such. Solicitor Vogdes stated the plan works well in Collingswood, NJ. Manager Knight will obtain further information from Medford Lakes Tax Assessor Doug Kolton.

CORRESPONDENCE

POLLING PLACES – Manager Knight received a communication regarding civil rights violations at polling places in Medford Lakes. Council discussed how the number of polling places per municipality is determined.

Manager Knight has received a complaint from the resident at 175 Nahma Trail. The homeowner complained that the Department of Public Works did not pick up his leaf pile and he wants them to come back to do so. DPW Superintendent refused, saying the pile contained branches, which they do not collect with the leaves. Also, the leaf pickup apparatus has been dismantled. Mayor Woodend asked Manager Knight to advise the resident that he would personally pick up the leaf pile at 175 Nahma.

REPORTS

MANAGER'S REPORT – Mr. Knight discussed the renewal of the liquor license for Whelihans. Because it has remained inactive for two years, the license must be renewed by the State. However, the Borough has the right to ask for a hearing to oppose the renewal. To do so could possible force Whelihans to begin building on the sit or sell the license to a company that would build. Council was generally in agreement that Whelihans is stringing the Borough along, with no plans to build on the site. Solicitor Vogdes will contact the attorney for Whelihans and advise that the Borough will oppose the renewal. Police Chief Martine will fax all incidents concerning the vacant lot to Mr. Vogdes.

The following is a schedule of dates for future meetings:

- 6-16-04:** Councilman Casey, Solicitor Vogdes and Manager Knight will meet to discuss the Employee Manual and Comcast Cable negotiations
- 6-24-04:** Regular Council Meeting, Gary Woodend will be sworn to his new term
- 7-1-04 at 12:00 noon:** Reorganization Meeting
- 7-8-04:** Regular Council Meeting
- 7-22-04:** Regular Council Meeting

SOLICITOR' REPORT – the proposed towing ordinance has been amended to reflect a tow fee not to exceed \$75.00. The ordinance will be introduced at the next Regular Council Meeting.

In March of 2004, Council approved a resolution renewing the agreement with the Medford Lakes Emergency Squad. For some reason, the hard copy of the resolution was never signed. Mr. Vogdes gave it to Squad Chief Countess for signature; she will have the Squad's attorney review it and then affix her signature if appropriate.

Councilman Casey and Manager Knight have reviewed the Memo of Understanding between the Fire Department and the Emergency Squad. Mr. Knight is preparing the final version, using the suggestions from the mediator.

COUNCIL REPORTS – Councilman Wasson, liaison to the Departments of Public Works and Wastewater, reported that brush collection will begin on June 21, 2004. The Department has received the trash truck from Medford, in exchange for a truck bed. The title has not yet been transferred.

Council discussed the summer hours worked by employees of DPW and Wastewater. They change from 7:30am to 3:30pm during winter months to 6:30am to 2:30pm in the summer. Mayor Woodend had suggested staggering the workers' schedules to provide access to the DPW and Wastewater for a longer period of time each day. Manager Knight spoke with the superintendents of both departments, who are not in favor of the staggered shifts. Neither feels it would be advantageous to the residents of the Borough. Manager Knight will continue to research the situation.

Councilman Casey, liaison to the Department of Emergency Services, was pleased to have all three of his department heads present. Fire Chief McIntosh reported three firefighters are set to graduate from Firefighter I school. His department handled 27 incidents during May; four were "working fires" in other municipalities under the mutual aid agreement.

Police Chief Frank Martine reported the truck donated to the department by the Medford/Vincentown Rotary is being painted at the Medford Campus of the Burlington County Institute of Technology.

Emergency Squad Chief Rosemary Countess reported her department had 36 incidents during May and seven stand-by assignments, including the Memorial Day Parade and race.

PAYMENT OF BILLS

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

Ayes: Woodend, Casey, Wasson

Nays: None

Motion is approved

ADJOURNMENT

Mayor Woodend made a motion, seconded by Councilman Casey, to adjourn the meeting.

Ayes: Woodend, Casey, Wasson

Nays: None

Motion is approved

Meeting adjourned at 9:50pm

Respectfully submitted,

Richard Knight
Borough Manager

