

**BOROUGH OF MEDFORD LAKES**  
**REGULAR COUNCIL MEETING**  
**MAY 13, 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 7:05pm. Deputy Mayor Casey called the meeting to order and 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 Councilman Timothy Casey and Councilman David Wasson. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, and Solicitor Jim Vogdes. Mayor Woodend arrived at 7:25pm.

**SPECIAL PRESENTATION/PUBLIC HEARING**

The Borough is preparing to negotiate its contract with Comcast Cable for cable service to the Borough. This is the first step in the negotiation process. Solicitor Vogdes read the Guide to Franchise Renewal, which is a framework for the meeting. No action is required or will be taken at this meeting.

Two representatives from Comcast were present; Mr. Fred D'Angelo gave the presentation. He is the Area Manager of Government Services for Comcast. He read a prepared statement, which included the four questions the Borough should ask itself to determine if Comcast has met the criteria for renewal. They are:

1. Has Comcast complied with all ordinance requirements?
2. Has the quality of service been reasonable?
3. Does Comcast have the financial, legal, and technological equipment to provide adequate service?
4. Does the franchise proposal meet the Borough's future needs?

The system in place has been upgraded recently and Medford Lakes currently has the highest available level of services.

The contract would provide for one high speed internet drop at the school, for student use only.

The State caps franchise fees at 2%. The Borough's prior agreement with Comcast was for 13 years. Most municipalities enter into a five-to-twenty year contract with a cable provider. Manager Knight suggested a contract length of at least 10 years. Medford just renewed with a 15-year contract.

*PUBLIC COMMENT: None*

Mayor Woodend thanked the Comcast representatives for their presentation.

Mayor Woodend made a motion, seconded by Councilman Casey, to close the public hearing.

**VOTE TO CLOSE PUBLIC HEARING**

Ayes: Woodend, Casey, Wasson

Nays: None

Motion carries

Following the presentation from Comcast Cable, the Regular Meeting of the Medford Lakes Borough Council was called to order.

Answering roll call for Borough Council for the Regular Meeting were Mayor Gary Woodend, Councilman Tim Casey, and Councilman Dave Wasson. Also present were Solicitor James Vogdes, Manager Rich Knight, Deputy Clerk Mark McIntosh, Police Chief Frank Martine, and Emergency Squad Chief Rosemary Countess.

**PUBLIC COMMENT**

*James Cottingham, 202 Tabernacle Road, advised Council he had called the police department for input concerning the sign ordinance. Mr. Cottingham and Mayor Woodend discussed traditions in Medford Lakes concerning signs; Mayor Woodend concluded that political signs on private property seem to be ok.*

**APPROVAL OF MINUTES**

Mayor Woodend made a motion, seconded by Councilman Casey, to approve the Minutes of the Regular Council Meeting on April 29, 2004. One minor correction was made to a date in the minutes.

Council questioned a line item in the 2004 Salary Ordinance, which is copied into the minutes. The Second Reading of the ordinance has been postponed, which will allow Manager Knight to investigate.

**VOTE TO APPROVE MINUTES WITH ONE CORRECTION**

Ayes: Woodend, Casey, Wasson

Nays: None

Minutes for April 29, 2004, are approved

**ORDINANCES**

The Second Reading for Ordinance 496, the 2004 Salary Ordinance, was postponed.

Mayor Woodend introduced Ordinance 497 on First Reading, seconded by Councilman Casey.

**AN ORDINANCE AMENDING ORDINANCE NO. 74, "AN ORDINANCE OF THE BOROUGH OF MEDFORD LAKES IN THE COUNTY OF BURLINGTON, NEW JERSEY, ESTABLISHING A SEWER DEPARTMENT AND PRESCRIBING CHARGES, RENTALS, RULES AND REGULATIONS RELATING TO THE USE OF THE SEWERAGE SYSTEM OF SAID BOROUGH;" AS AMENDED.**

**BE IT ORDAINED** by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, State of New Jersey, as follows:

**SECTION 1. - PURPOSE**

The purpose of this Ordinance is to amend Ordinance No. 74, as amended.

**SECTION 2. – AMENDMENT**

1. (a) Section 3 of said Ordinance, Schedule A, is hereby amended, by deleting the annual rate of \$ 500.00, and replacing same with \$560.00 (\$140.00 per quarter).

(b) Section 3, Schedule B, is hereby amended as follows:

Church per separate building unit with sewer connection...\$500.00 is replaced with \$560.00 (\$140.00 per quarter);

Hotel or Bar/Restaurant facilities that serve alcoholic beverages.....\$3,014.00 is replaced with \$3,375.68

Restaurant or Luncheonette.....\$1,505.00 is replaced with \$1,685.60

Grocery Store.....\$1,002.00 is replaced with \$1,122.24

Laundromat- Each washing machine.....\$250.00 is replaced with \$280.00

Colony Club Building.....\$1,505.00 is replaced with \$1,685.60

Bank or Financial Institution.....\$1,002.00 is replaced with \$1,122.24

(c) Section 2, Schedule C, is hereby amended as follows:

Lenape Regional High School District  
(Shawnee High School).....\$21,170.00 is replaced with \$23,710.40

Other Commercial Building.....\$ 500.00 is replaced with \$560.00

Other Professional and Quasi-Public Buildings.....\$500.00 is replaced with \$560.00 per unit

YMCA Camp Ockanickon .....\$21,170.00 is replaced with \$23,710.40

**SECTION 3. - EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its final passage and publication according to law, and shall be effective as of July 1, 2004.

The increase in sewer fees will help offset the huge cost of repairs to the aging system in Medford Lakes.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE ORDINANCE 497 ON FIRST READING**

Ayes: Woodend, Casey, Wasson

Nays: None

Ordinance 497 is approved on First Reading

**RESOLUTIONS**

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

**RESOLUTION 78-04**

**A RESOLUTION AUTHORIZING THE REFUND OF A LIEN HOLDER FOR REDEEMED TAX SALE CERTIFICATE**

**WHEREAS**, Life Center Academy purchased a Tax Sale Certificate on B: 20029, L: 14 on June 11, 2003, and paid \$159.49; and

**WHEREAS**, FNIS (the mortgage company) redeemed the above Tax Sale Certificate on April 30, 2004; and

**WHEREAS**, Life Center Academy is entitled to the amount paid at tax sale plus additional interest and penalty through April 30, 2004 in the amount of \$11,146.78;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that a Tax Title Lien Account check representing the redemption amount of \$11,146.78 for certificate number 03-004 has been drawn to the order of Life Center Academy.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 78-04**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 78-04 is approved

Councilman Wasson introduced the following resolution, seconded by Councilman Casey:

**RESOLUTION 79-04**

**A RESOLUTION RECOGNIZING MAY 16 THROUGH MAY 22, 2004, AS NATIONAL PUBLIC WORKS WEEK.**

**WHEREAS**, public works services provided in our community are an integral part of our citizens' everyday lives; and

**WHEREAS**, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets, grounds, public buildings and solid waste collection; and

**WHEREAS**, the health, safety and comfort of this community greatly depends on these facilities and services; and

**WHEREAS**, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that we proclaim the week of May 16-22, 2004, "NATIONAL PUBLIC WORKS WEEK", and we call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 79-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 79-04 is approved

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

**RESOLUTION 80-04**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF MEDFORD LAKES AND THE MEDFORD LAKES COLONY TO PARTICIPATE IN A DAM SAFETY LOAN PROGRAM**

**WHEREAS**, the Borough has agreed to support an Application by the Medford Lakes Colony Club to the New Jersey Department of Environmental Protection Dam Safety Loan Program in the amount of \$771,000.00 for a Dam Restoration Loan to improve Lower Aetna Dam in the Borough of Medford Lakes; and

**WHEREAS**, the application must be signed by a person authorized by written resolution of the Borough of Medford Lakes to apply as a co-applicant with the Medford Lakes Colony Club and to represent the Borough in all matters relating to the application process and to obligate the Borough to the terms and conditions of the loan award agreement; and

**WHEREAS**, a copy of this Resolution shall accompany the application; and

**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 Mayor is hereby directed to affix his signature and seal to any documents necessary for the implementation of this Resolution.

Mr. Al Borrell and Mr. Greg Lackey explained the loan program and its execution. The State is offering a reduced rate loan at 2% for remediation of dams. The dam at Jackson Park is on the list as requiring repairs. To apply for the loan, the Colony must have the Borough memorialize it's status as a co-applicant. If the Colony were to default on the loan, the Borough could assess Colony members for the balance due on the loan payment. However, Mr. Borrell and Mr. Lackey assured Council there would be no problems with their loan payments. The dam repair is projected to cost between \$300,000 and \$350,000 to repair. The loan funds are not expected to be released for at least six months.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 80-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 80-04 is approved

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

**RESOLUTION 81-04**

**A RESOLUTION AUTHORIZING THE REFUND OF A LIEN HOLDER FOR A REDEEMED TAX SALE CERTIFICATE**

**WHEREAS**, Wachovia-Coll Agt/Sass Muni IV purchased a Tax Sale Certificate on B: 30004, L: 194 on April 16, 2004, and paid \$4,554.30 plus \$6,000.00 premium; and

**WHEREAS**, Elizabeth J. Crean (the homeowner) redeemed the above Tax Sale Certificate on April 23, 2004; and

**WHEREAS**, Wachovia-Coll Agt/Sass Muni IV is entitled to the amount paid at tax sale plus additional interest and penalty through April 23, 2004, in the amount of \$10,645.39;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that a Tax Title Lien Account check representing the redemption amount of \$10,645.39 for certificate number 04-0102 has been drawn to the order of Wachovia-Coll Agt/Sass Muni IV

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 81-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 81-04 is approved

Councilman Casey introduced the following resolution, seconded by Councilman Wasson:

**RESOLUTION 82-04**

**A RESOLUTION RECOGNIZING MAY 16 THROUGH MAY 22, 2004, AS NATIONAL EMERGENCY MEDICAL SERVICES WEEK.**

**WHEREAS**, emergency medical services provided in our community are an integral part of our citizens' everyday lives; and

**WHEREAS**, the support of an understanding and informed citizenry is vital to the efficient operation of the emergency medical system and programs such as community CPR training; and

**WHEREAS**, the health, safety and comfort of this community greatly depends on these services; and

**WHEREAS**, the quality and effectiveness of the emergency medical services provided, is vitally dependent upon the efforts and skill of emergency medical professionals; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel who staff emergency medical organizations is materially influenced by the people's attitude and understanding of the importance of the work they perform;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that we proclaim the week of May 16-22, 2004, “NATIONAL EMERGENCY MEDICAL SERVICES WEEK”, and we call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our emergency medical services and to recognize the contributions which these professionals make every day to our health, safety, comfort and quality of life.

Councilman Casey thanked the emergency responders for their dedication to the residents of the Borough.

*PUBLIC COMMENT: NONE*

**VOTE TO APPROVE RESOLUTION 82-04**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 82-04 is approved

Councilman Wasson introduced the following resolution, seconded by Councilman Casey:

**RESOLUTION 83-04**

**A RESOLUTION CERTIFYING THE 2004-2005 LENAPE REGIONAL HIGH SCHOOL DISTRICT TAX LEVY REDUCTION**

**WHEREAS**, it is the desire of the Council of the Borough of Medford Lakes to support a reduction in the tax levy of the 2004 – 2005 Lenape Regional High School District Budget, and

**WHEREAS**, it is necessary to certify a resolution to support the reduction;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough Medford Lakes, New Jersey, that it does hereby certify the tax levy reduction of \$1,800,000, from the specified line items as listed by the Lenape Regional High School District. The revised budget is still sufficient to provide a thorough and efficient education to the children of the Lenape Regional High School District.

The seven sending districts to the Lenape Regional High School District sent representatives to a meeting about the defeated school budget. They agreed on a reduction of \$1.8 million. Now each of the sending districts must approve the amended budget.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 83-04**

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 83-04 is approved

**OLD BUSINESS**

ORDINANCE 295 - Manager Knight has reviewed State statutes with regard to copy fees charged to persons requesting them. No action was taken at this meeting on this ordinance.

BOROUGH ENTERPRISE ZONE – Manager Knight received a letter from the Borough of Jamesburg, NJ, asking Council to support a New Jersey Assembly bill to create Borough Enterprise Zones in the state. The bill would assist municipalities with populations of fewer than 10,000 that are at least 85% developed, by encouraging businesses to locate in these municipalities. Tax incentives and tax credits would be among the relief suggested.

Councilman Casey made a motion, seconded by Councilman Wasson, to draft a resolution encouraging support for an enterprise zone resolution in Jamesburg Township.

**RESOLUTION 84-04**

**A RESOLUTION SUPPORTING PASSAGE OF AN ASSEMBLY BILL TO CREATE BOROUGH ENTERPRISE ZONES IN THE STATE OF NEW JERSEY**

**WHEREAS**, Assemblyman Bill Baroni has drafted an Assembly Bill, a copy of which is attached hereto, that calls for the creation of Borough Enterprise Zones (B.E.Z) within the State of New Jersey in order to encourage much needed economic growth, while providing property tax relief and funding for schools; and

**WHEREAS**, the proposed Borough Enterprise Zone program is designed to assist municipalities with under 10,000 in population, that are over 85% developed and whose businesses face considerable obstacles in fostering new jobs and business growth; and

**WHEREAS**, Assemblyman Baroni has determined that approximately forty-seven (47) of New Jersey's 566 municipalities could be eligible for participation in a Borough Enterprise Zone Program; and

**WHEREAS**, if approved as drafted, businesses would be encouraged to locate within a Borough Enterprise Zone by being eligible for numerous tax incentives, such as certain net-worth tax exemptions, exemptions on certain sales and use taxes paid by the business and retail tax would be exempt to the extent of 50% of the sales tax; and

**WHEREAS**, in addition to the above listed exemptions, non-retail and non-warehouse businesses located within a Borough Enterprise Zone would also receive one time tax credits for the hiring of certain personnel, encouraging the employment of residents of the B.E.Z. municipality or persons who have been unemployed for at least 90 days or have been dependant on public assistance; and

**WHEREAS**, the sales taxes collected by businesses within a Borough enterprise zone would directly offset property taxes and fund schools within that municipality; and

**WHEREAS**, it is recognized by the Medford Lakes Governing Body that the formation of a Borough Enterprise Zone Program could prove to be greatly beneficial to citizenry of the Borough of Medford Lakes;

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the State Legislature is respectfully requested to pass into law, the assembly Bill drafted by Assemblyman Bill Baroni, which would authorize the establishment of Borough Enterprise Zones in certain municipalities within the State of New Jersey.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 84-04

Ayes: Woodend, Casey, Wasson

Nays: None

Resolution 84-04 is approved

OAKS HALL PROJECT –a snow fence has been erected on the property. Manager Knight has received a quote for demolition of the existing building. He suggested making the demolition a community event and allowing the public to participate in some way.

Solicitor Vogdes is waiting for a contract format from Conrad, Inc. He advised waiting to demolish the building until the contract is signed.

*PUBLIC COMMENT: Rosemary Countess, Emergency Squad Chief, voiced her concern about the safety of persons at the site.*

*Police Chief Martine asked why the snow fence had been erected while allowing cars into the lot. The church across the street uses the lot for parking during church services and events.*

*James Cottingham, 202 Tabernacle Road, asked if the oil tanks had been removed. All the tanks around the existing building have been removed; the one exception is the tank under the building that can only be removed after the building is demolished.*

LIQUOR LICENSE – PJ Whelihan’s has signed a contract with a builder to start the new restaurant at the old Settlers Inn site. Their liquor license is due for renewal in July of 2004. Whelihan’s sent a check for \$720 for the renewal; renewal must now be confirmed by ABC.

ELECTION – Mayor Gary Woodend was re-elected to Council, by a 2-1 margin, over challenger Joe Aromando.

LENAPE TRAIL STRIPING – Department of Public Works Superintendent Pat McCorristan did not budget for the striping; he is waiting for approval of the 2004 Budget before contracting for the striping, in an effort to determine where the funds will be allocated. Mohawk Trail is also a no-passing zone the entire length and also needs to be re-striped.

CAVE SUB-DIVISION – Council wants Cree Trail widened to 22 feet; it is currently 18’. Mr. Cave does not anticipate having to remove too many trees to widen the trail.

**NEW BUSINESS**

The Comcast presentation at the beginning of the meeting was the only item of new business.

**REPORTS**

MANAGER – Mr. Knight received the 2003 Audit from Mr. Stewart. The General Ledger is still being completed. Manager Knight will obtain Mt. Holly’s ordinance concerning home-seller trash escrow.

SOLICITOR – Mr. Vogdes is working on codification. Work on the land development, traffic and trash ordinances is still pending. The solicitor is also still working on the sign ordinance. He will examine the cell

tower leases with regard the merger of Cingular and AT&T, to determine how it would affect tower revenue. Only one tax appeal is pending.

COUNCIL – Councilman Wasson had nothing new to report.

Councilman Casey was once again pleased to have all three of his department heads present at the meeting. Fire Chief McIntosh reported the fire department responded to two appliance fires in the Borough. He discussed the fatal fire in Burlington City and the need for working fire alarms on all floors in all residences. He thanked the police department and the emergency squad for their assistance at the scenes.

Police Chief Martine reported there are blue ribbons available for the celebration of National Police Week. Chief Martine and Lt. Carbone attended the memorial service in Mt. Holly. Chief Martine discussed the results of the first use of the traffic counter on Chippewa Trail between Beach and Oak Drives. During one 24-hour period, 606 vehicles traveled that portion of the road. Chief Martine advised the issue on Chippewa Trail is not a speeding problem, but rather a volume problem. The unit is a demo loaner from TIMEMARK, INC. The cost of a new one is \$1,690 with attachments. The funds are already in the 2004 Police Department budget.

Chief Martine met with Chuck Reilly from the New Jersey Department of Transportation with regard to the Borough's traffic ordinances. Mr. Reilly brought all the paperwork his office has concerning the ordinances; Chief Martine will cross reference them with the paperwork he has. The Chief has received approval for the striping on Lenape Trail. Councilman Wasson asked if speed humps would be helpful on Chippewa Trail; Chief Martine felt they would only move the volume problem to another trail.

Chief Martine and Council discussed the proposed towing ordinance and fees to be charged. Evesham Township Charges \$120 per tow; Chief Martine felt this was too high for Medford Lakes. Suggested wording for the proposed ordinance could be "...tow fee not to exceed \$75 and \$200 for vehicles over 5,000 GVW."

*PUBLIC COMMENT: James Cottingham, 202 Tabernacle Road, felt the fees might eliminate any other towing agencies that wanted to be on the list.*

Emergency Squad Chief Countess read her report into the record. The Squad was dispatched to 35 calls during April. Upcoming events at which the Squad will be present include the Cub Mobile Derby, the Memorial Day parade, the D.A.R.E./BRIDGE softball game, and the circus at Neeta School.

The Squad is accepting forms from residents who have special medical needs. Squad members will have access to the information on the forms when responding to calls.

Chief Countess thanked Fire Chief McIntosh for installing smoke detectors in a home they had found not to have any.

### **PAYMENT OF BILLS**

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

#### **VOTE TO APPROVE PAYMENT OF BILL LIST**

Ayes: Woodend, Casey, Wasson

Nays: None

Payment of Bill List is approved

**ADJOURNMENT**

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

VOTE TO ADJOURN

Ayes: Woodend, Casey, Wasson

Nays: None

Meeting adjourned at 9:10pm

Respectfully submitted,

Richard Knight  
Borough Manager

