

**BOROUGH OF MEDFORD LAKES  
COUNCIL/TOWN MEETING  
SEPTEMBER 23, 2004**

A special town meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the Neeta School, at 7:30pm. Mayor Wasson presided. Following the Pledge of Allegiance, Mayor Wasson 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 Dave Wasson, Councilman Tim Casey, and Councilman Gary Woodend. Also present were Borough Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor Jim Vogdes, Police Chief Frank Martine, Emergency Squad Chief Rosemary Countess, Flood Recovery Manager Jack Kaczur, Alaimo representative Wayne Simpson, and Medford Lakes Colony representative Paul Weiss.

**SPECIAL PRESENTATION**

Councilman Casey presented a slide show to residents in attendance. The show included pictures of the flood damage and areas that have been repaired, to include Lenape Trail, shoring on Tabernacle Road, the cell tower, Mishemokwa Trail, the Tabernacle Road bike path, and general cleanup. The state of emergency was lifted on September 20, 2004. However, the lakebeds are not safe and should not be entered.

Pending items include power equipment for the sewer plant, major repairs for the Public Works building, repair of the fire department building, and vehicle repair or replacement.

The new bike path will be getting a guardrail; however, but the path can't be made any wider.

Project cost estimates include repair to Lower Aetna Dam at \$5.4 million and \$4.4 million for Upper Aetna, which includes roadways on the dams. Other costs estimates are \$100,000 for repair to Ballinger dam, \$1.2 million to repair the bulkhead on Quogue, and \$390,000 for other projects, which include Jackson Park and Beach one. The cost of lakebed dredging has not been determined at this time.

Anticipated financing for the repair projects will come from insurance, FEMA grants, donations, the DEP loan program, short term and long-term borrowing.

A projected step-by-step plan includes filing loan applications with DEP for dam repairs, loan approval, hydrologic studies, engineering studies, filing for permits with regulatory agencies, requests for proposals (RFPs), contract awards, lake dredging, construction, and filling the lakes.

Councilman Casey outlined the timeframe for the projects. Hopefully, Canoe Carnival 2006 can be held at Beach One. However, he stressed the times are only approximate and very optimistic.

A long-time question over dam ownership will not slow down repairs. The Borough and the Medford Lakes Colony are working together to facilitate the projects.

Solicitor Vogdes reported that, as of September 22, 2004, the Borough has not been served with any lawsuits; however, the Colony has been named. Medford Lakes participates in the Camden County Joint Insurance Fund

and will defend the Borough in any lawsuits. Strategies are in place for defense if need be. The JIF wants the Borough to take a low-key approach toward dealing with the lawsuit issue.

Paul Weiss, representative from the Medford Lakes Colony, advised Council of some of the issues facing them at this time. The Colony has been named in a lawsuit; the insurance carriers have been notified and are preparing the defense. Funding for the recovery projects is a continuing question. A special assessment may be levied to recover enough funds for the repairs. The Colony had previously funded \$770,000 for repairs to the dams.

Mr. Weiss answered three of the questions most frequently asked of the Colony. A committee is studying alternatives to the restoration of Jackson Park and would welcome suggestions. Homeowners may repair bulkheads and docks only if they have been damaged and owners must obtain a Colony permit. The roadway over Upper Aetna dam may be too expensive to repair. All avenues are being considered.

### **PUBLIC COMMENT ON THE PRESENTATION**

*Sue Mattio, 246 Chippewa Trail, was dismayed at the small turnout for the meeting. She asked Council if another pumping station existed; one is on Chicagami Trail. She suggested to Paul Weiss that the Colony ask for professional help on any task forces working on repairs.*

*Debbie Smith, 7 Beach Drive, asked if the temporary sewer by-pass could be enclosed, to alleviate the excessive noise it makes. Following discussion, Councilman Casey made a motion, seconded by Mayor Wasson, to investigate a noise shield for the pump. Councilman Woodend suggested having the Medford Lakes Department of Public Works erect a shed around the pump. Councilman Casey amended his motion to ask DPW and Superintendent McCorristan to consider a shed. Mayor Wasson seconded the amended motion.*

#### *VOTE TO APPROVE MOTION*

*Ayes: Wasson, Casey, Woodend*

*Nays: None*

*Motion carries*

*Arnie Fishman, 210 Chippewa Trail, asked where the Quogue Trail dam is located, which was explained to him by Councilman Casey. Mr. Fishman also asked about the dredging of the lakebeds. Paul Weiss advised that, in order to remove the sludge, it must be tested and its content determined under DPE protocol. This also helps to define what can be done with the sludge after it is removed.*

*Theresa Nardello, Stokes Road, asked if any costs to the Borough would not be covered by insurance. Solicitor Vogdes advised the infrastructure is covered by insurance, and Council is hoping insurance and FEMA loans will cover most of the costs. FEMA could cover up to 75% of the costs, and New Jersey Governor McGreevey had earmarked \$5,000,000 for repairs for those municipalities affected. A questions also exists concerning the sewer plant, which does not have flood insurance. FEMA considers the plant in a flood zone, which would require it to have such insurance.*

*Jim Walker, 251 Chicagami Trail, asked if the anticipated completion date of 2005 for permitting and building the dams was a worst case scenario. Previous dam repairs took over two years without a flood problem. Repairs could conceivably take longer than two years.*

*Walt Cox, 263 Chicagami Trail, asked about a previous plan to dredge the Mirror Lakes; the project is on hold.*

*Bill Burns, Chippewa Trail, thanked Council for keeping the public informed about what is happening with the recovery. He asked about the three dams up river from Medford Lakes. It is possible the one closest to Medford Lakes won't be rebuilt.*

*Bob Lee, acting president of the Medford Lakes Colony, reminded residents that dam repairs will take a long time. Only a few contractors are qualified for dam repair.*

*Jim Palmer, 188 Nahma Trail, asked if the Upper Aetna dam was needed or if the two Aetna Lakes could be combined into one large lake. The sizable difference in elevation of the two lakes makes it impossible to combine them; both dams are needed to control the flow of water.*

*Bill Garvey, 165 Tabernacle Road, suggested erecting a breakwater or an island upstream, using lake sludge.*

*John Ferry, 177 Migazee Trail, suggested lawsuits may delay dam repairs. He asked Council who is in charge of the project and their qualifications. Jack Kaczur, of Alaimo Engineering, is the project manager and has been since two days after the flood.*

*Joe Aromando, 285 Shingowack Trail, asked how Council had determined the cost estimates for dam repairs. Wayne Simpson, Alaimo Engineers, advised that DEP standards allow for the creation of a conceptual design, which in turn allows for a conservative cost estimate. Mr. Aromando also asked what procedures are being implemented to prevent a future flood from damaging the sewer plant.*

*Ed Bell, 17 Cayuga Trail, asked what would happen if Camp Ockinickon did not rebuild their dam. The Aetna Lakes would still be able to dam the stream running through the lakebed to re-fill the lakes.*

*Jennifer Warren, 262 Ojibway Trail, advised Paul Weiss that she felt the annual \$350 assessment to residents from the Colony is reasonable. However, if a special assessment is needed, she asked that creative planning be used to fund the repairs.*

*Mike Powers, 19 Onondago, thanked Council for all they had done and were prepared to do following the flood and related damage around the Borough.*

Councilman Casey advised residents that Council would consider holding a town meeting on a quarterly basis, and Mayor Wasson assured everyone that progress is being made every day in the repair effort.

Following the presentation and public comment, Council recessed at 9:00pm. Council resumed the meeting at 9:20pm.

### **APPROVAL OF MINUTES**

Councilman Woodend made a motion, seconded by Councilman Casey, to approve the minutes for the September 9, 2004, Regular Council Meeting, with minor changes.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

**RESOLUTIONS**

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

**RESOLUTION 121-04**

**A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS TO DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING UPPER AETNA AND QUOGUE DAMS BY RICHARD ALAIMO ASSOCIATES**

**WHEREAS**, there is a program for loans under a program sponsored by the Department of Environmental Protection of the State of New Jersey for low interest loans for dam repairs, and/or restoration; and

**WHEREAS**, applications must be filed by September 30, 2004; and

**WHEREAS**, the Borough of Medford Lakes wishes to authorize Richard Alaimo Associates to provide professional engineering consulting services with regard to applications for said State of New Jersey loans for the repair or restoration of Upper Aetna (Beach Drive) and Quogue Dams, and to file said applications;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that Richard Alaimo Associates is hereby authorized to file applications for low interest loans with the State of New Jersey for Upper Aetna (Beach Drive) and Quogue Dam.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 121-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 121-04 is approved

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

**RESOLUTION 122-04**

**A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING SUBMISSION OF APPLICATIONS TO DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING LOWER AETNA AND BALLINGER DAMS BY RICHARD ALAIMO ASSOCIATES**

**WHEREAS**, there is a program for loans under a program sponsored by the Department of Environmental Protection of the State of New Jersey for low interest loans for dam repairs, and/or restoration, available to municipalities, as well as other entities; and

**WHEREAS**, applications must be filed by September 30, 2004; and

**WHEREAS**, it is believed that economy can be achieved by having one engineer for the entire application process; and

**WHEREAS**, the Borough of Medford Lakes wishes to authorize Richard Alaimo Associates to provide professional engineering consulting services jointly with, and/or on behalf of, the Medford Lakes Colony regarding applications for State of New Jersey loans for the repair, and/or restoration of Lower Aetna and Ballinger Dams;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that Richard Alaimo Associates is hereby authorized to file applications for low interest loans with the State of New Jersey on behalf of the Borough of Medford Lakes and the Colony, as their interests may appear now or in the future, regarding Lower Aetna and Ballinger Dams.

*PUBLIC COMMENT: Paul Weiss, Colony representative, asked Council if they would co-sign the amended application, as they had done on the previously agreed upon application (Resolution 80-04.) The amended application requires an amended resolution*

**VOTE TO APPROVE RESOLUTION 122-04**

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 122-04 is approved

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

**RESOLUTION 123-04**

**A RESOLUTION OF THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH RICHARD ALAIMO ASSOCIATES**

**WHEREAS**, the Borough of Medford Lakes wishes to enter into an Agreement with Richard Alaimo Associates, to provide professional engineering consulting services with regard to the 2004 flood repairs;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that the Mayor and Clerk of the Borough of Medford Lakes are hereby authorized to enter an Agreement with Richard Alaimo Associates, consulting engineers, a copy of which is attached hereto, such contract not to exceed \$150,000.00.

The implementation of this Resolution and execution of contract is conditioned upon certification of availability of funds pursuant to law.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 123-04**

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 123-04 is approved

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

**RESOLUTION 124-04**  
**A RESOLUTION APPOINTING ADDITIONAL CROSSING GUARDS FOR 2004**

**WHEREAS**, it is the desire of the Borough to utilize Crossing Guards to assist in the safe movement of our children and other residents as they cross identified Borough crosswalks during School hours; and

**WHEREAS**, the New Jersey State Statute governing Crossing Guards requires that they be appointed each year; and

**WHEREAS**, it is the desire of the Borough Council to appoint qualified individuals to fill the position of Crossing Guard;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes that the following appointment(s) be made as Crossing Guards:

<u>Appointee</u>	<u>Class Designation</u>	<u>Commencement Of Term</u>	<u>Expiration Of Term</u>
Lisa McGovern	Crossing Guard	January 1, 2004	December 31, 2004
Debbie Gilmore	Crossing Guard	January 1, 2004	December 31, 2004
Joseph O'Neil	Crossing Guard	January 1, 2004	December 31, 2004
Barbara M. Hartford	Crossing Guard	January 1, 2004	December 31, 2004

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 124-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 124-04 is approved

Councilman Casey introduced the following resolution for discussion, seconded by Mayor Wasson:

**RESOLUTION 125-04**  
**A RESOLUTION AMENDING RESOLUTION 80-04 AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE BOROUGH OF MEDFORD LAKES AND THE MEDFORD LAKES COLONY CLUB TO PARTICIPATE IN DAM SAFETY LOAN PROGRAM**

**WHEREAS**, the Borough has agreed to amend Resolution 80-04, a resolution approving a previously submitted and currently pending application by the Colony Club under the Dan Safety Program for dam repairs; and

**WHEREAS**, the amendment is 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 \$ 5.4 million 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;

**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.

*PUBLIC COMMENT: Jim Cottingham, 202 Tabernacle Road, asked if the resolution would dictate how the money would be raised; it does not.*

VOTE TO APPROVE RESOLUTION 125-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 125-04 is approved

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

**RESOLUTION 126-04**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE BOROUGH OF MEDFORD LAKES AND THE MEDFORD LAKES COLONY CLUB TO PARTICIPATE IN 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 \$ 100,000 for a Dam Restoration Loan to improve Ballinger 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.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 126-04

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 126-04 is approved

### **OLD BUSINESS**

**BICYCLE SAFETY** – Police Chief Martine advised Council he had not received any complaints about the new bike path on Tabernacle Road. October 5<sup>th</sup> will be the Bike Safety Program in the two schools, at which time Sgt. Dogostino will elaborate bike procedures to the students. Chief Martine has not received any complaints about the no parking regulation on Trading Post Trail, which will last through construction of the dams.

**TABERNACLE ROAD FENCE** - Councilman Woodend expressed his concern that the fencing along Tabernacle Road at Beach One is an eyesore. The fencing is currently being rented. He discussed removing the temporary chain link fence and erecting a permanent post-and-rail fence. Councilman Casey felt the safety aspect of the fence for prohibiting trespassers in the lakebed overrode the aesthetics aspect of the fence. Paul Weiss suggested moving the fence to the lakebed side from the roadside. He felt the Colony would have no trouble obtaining volunteers to work on the lakebed and fencing, as sweat equity is the easy part and funding is the hard part. Manager Knight added he would like the pavilion to be demolished and the dam remnants to be removed prior to moving the fence.

### **NEW BUSINESS**

A Task Force meeting/training session will be held on Saturday, from 8:30am to 12:30pm.

### **CORRESPONDENCE**

**LAUNDRAMAT** - Manager Knight received a letter from Mancer Cyr, owner of the Medford Lakes Laundry on Trading Post Trail. He hopes to re-open the facility within 60 days. He asked for consideration of a reduction of his quarterly sewer payment for the current quarter; the machines have not been in service since the day of the flood. He has not made use of the sewer his machines are hooked into and would like to have the quarterly payment pro-rated. Council will discuss the issue at their next meeting. Manager Knight recommended denying the request.

### **REPORTS**

**COUNCIL** – Councilman Casey, liaison to Administration, reported a candidate for the CMFO position is interested in the job. Manager Knight will send her a letter clarifying the Borough's offer.

Councilman Woodend, liaison to Public Safety, received a letter from the Medford Lakes Police Officers Association, concerning the upcoming contract negotiations. Councilman Casey made a motion, seconded by Mayor Wasson, to form a committee made up of the Manager, Public Safety Liaison, and the Police Chief as a consultant, to facilitate the negotiations.

VOTE ON MOTION  
Ayes: Wasson, Casey  
Nays: Woodend  
Motion carries

The Superior Officer's Contract is currently being reviewed by Solicitor Vogdes.

Emergency Squad Chief Rosemary Countess advised Council that the Memo of Understanding between the Squad and the First Responders was signed this date.

Police Chief Frank Martine reported Officer Tom Cranston had resigned, effective this date. The process is underway to replace him. The department was awarded a \$2,000 grant from the Division of Women to cover the cost of a projector.

Fire Chief Mark McIntosh reported the resignation of two DPW workers, who also were part of the daytime contingent of firefighters. Two new employees have been hired; Council discussed when they would be trained and functioning. Council discussed awarding "comp time" to DPW employees to encourage them to attend fire meetings on Monday nights.

Mayor Wasson, liaison to Public Works, reported that Wastewater Superintendent Paul Hayden had rotator cuff surgery this date and will be out for two weeks. He will then return to limited duty.

Entertainer and former Medford Lakes resident Robert Hazzard will perform a live concert at the Lenape Regional Performing Arts Center at Cherokee High School on Sunday, October 17, 2004. The concert will be a benefit for flood victims.

**PAYMENT OF BILLS**

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

VOTE TO PAY BILLS

Ayes: Wasson, Casey, Woodend

Nays: None

Bill List is approved for payment

**ADJOURNMENT**

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

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned at 10:25pm

Respectfully submitted,

Richard Knight  
Borough Clerk

