

BOROUGH OF MEDFORD LAKES
TOWN MEETING
FEBRUARY 10, 2005

A town meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in the Neeta School all-purpose room, beginning 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 Timothy Casey and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor Jim Vogdes, Squad representative Sandy Wasson, Colony representative Paul Weiss, Colony president Betty Reis, Flood Recovery Project Manager Jack Kaczur, and Peter Black, a representative of Dewberry Associates.

RESOLUTIONS

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

RESOLUTION 18-05

A RESOLUTION APPOINTING A TEMPORARY CHIEF FINANCIAL OFFICER FOR THE BOROUGH OF MEDFORD LAKES

WHEREAS, there exists a vacancy for the office of Chief Financial Officer, following a vacancy in said office created by the expiration of the appointment of Richard J. Knight as Temporary Municipal Finance Officer, on or about May 31, 2004; and

WHEREAS, under N.J.S.A 40A:9-140.13, (f) a municipality may appoint a temporary Chief Financial Officer for a period not to exceed one (1) year, commencing on the date of the vacancy; and for and additional one year upon approval of the Director, Division of Local Government Services, and

WHEREAS, the Borough desires to appoint Donna A. Condo as temporary Chief Financial Officer; and

WHEREAS, Donna A. Condo is qualified to serve as temporary Chief Financial Officer;

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

Donna A. Condo, is hereby appointed as temporary Chief Financial Officer
for the Borough of Medford Lakes, terminating May 31, 2005.

PUBLIC COMMENT: None

VOTE TO APPROVE RESOLUTION 18-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 18-05 is approved

OLD BUSINESS

COUNCILMAN CASEY, in his capacity as Public Information Officer for Medford Lakes, presented an overview of what problems arose from the flood and what has been done. He praised members of the Borough and the Colony for their continued work together.

The State of Emergency was lifted in September.

The sewer plant is now 100% operational.

The guard rail is in place on Tabernacle Road

The Easi property at the corner of Stokes Road and Lenape Trail has been sold to Mark Magrann and Associates and is pending development.

The Upper Aetna Lake sewer bypass is finished and on-line.

A review is in progress to determine if the Medford Lakes Fire Department building can be repaired/renovated or rebuilt.

A hydrologic study must be done; DEP did not accept the one already on file.

Negotiations are in progress with OEM and FEMA to determine ownership of the Lower Aetna dam; in the meantime, the repair process on the dam in proceeding.

The Borough is responsible for repairs to Upper Aetna dam, Lower Aetna dam, Ballinger Lake dam, and Quogue dam. The Colony will repair Jackson Park and Beach 1, and will dredge the lakes.

Mr. Weiss reported Earth Tech, of Chatsworth, did a very preliminary walk-around of the lakes, with regard to future dredging.

Councilman Casey outlined estimated costs for planned repairs:

Lower Aetna dam	\$5.4 million
Upper Aetna dam	\$4.4 million
Ballinger dam	\$100,000.00
Quogue dam	\$1.2 million
Jackson Park/Beach 1	\$390,000.00
Lake dredging	Cost to be determined at a later date

Councilman Casey presented funding amounts to date:

Insurance	\$32,000.00
FEMA	\$410,000.00
Donations	\$20,000.00
Borrowing	\$1.75 million appropriated to date

Councilman Casey presented cash flow projections as of this date:

2005	\$1.0 million
2006	\$1.1 million
2007	\$6.9 million
2008	<u>\$2.4 million</u>

Total: \$11.4 million

SOLICITOR VOGDES advised that, as of this date, the Borough has not been served in any lawsuits. The Colony has been named in two suits, which they expect to be merged.

PETER BLACK, representative of Dewberry Associates, discussed his company's involvement in the project. Dewberry was hired for the initial phase of the rebuilding project, which includes the preliminary designs and the hydrologic study. His company is currently performing the following tasks:

1. Prepare concept level designs for the Upper Aetna, Lower Aetna and Quoque dams. The concept level design will propose the type, spillway elevations and dimensions of the restored dam. Proposed normal lake elevations will match those prior to the failure of the dams.
2. Perform a hazard classification analysis for each of the three dams. Based on the results of the analysis, a recommendation will be made to NJDEP for a classification of either I or II for Upper and Lower Aetna dams. Prior to the flood in July, both dams were classified as Class II and Quoque dam was a Class IV.
3. Determine the Spillway Design Storm (SDS), which is based upon the results of hydrologic analysis and hazard classification accepted by NJDEP.

On January 6, 2005, representatives of the Borough, the Colony and Dewberry met with representatives of the NJDEP, Bureau of Dam Safety and Flood Control, to discuss the restoration plan for the dams. At the meeting, representatives of Dam Safety outlined the necessary steps the Borough has to follow to restore the dams.

PAUL WEISS reported the Colony is tracking legislation in Trenton concerning money available for the restoration of the dams.

The Colony previously applied to FEMA for funding for repairs to the dams. They were denied, as being a "private, not-for-profit" organization. The Colony has appealed the decision.

JACK KACZUR advised other residents in attendance that 18 months reflects the best estimate. He explained the reasons for the timeline and how the dams are built. All three dams will be rebuilt simultaneously.

QUESTIONS FROM THE PUBLIC

Ned Steele, 125 Lenape Trail, asked Mr. Black why he would consider building a Class I dam, which is structured to contain a 26” rainfall in a 24 hour period. State and Federal requirements mandate structural size following dam class determination.

Walt Cox, 263 Chicagami Trail, advised he felt the flood was self-proving; no loss of life occurred, which would not require an upgrade to Class I from Class II for the Aetna dams.

Charlie Kelchner, 212 Chippewa Trail, asked if the cost estimates for a Class II dam would also cover the cost if it were determined that a Class I dam would be required; the numbers will work.

Tom Watters, 269 Chicagami Trail, asked what the cost would be for a Class I dam versus a Class II dam. The amounts are difficult to determine, and will be subject to the bidding process. Council assured residents the Borough would build the best dam possible; a decision will be made and the dam will be built.

Jim Walker, 251 Chicagami Trail, advised he felt the 18-month estimate for building the dams was too long. He asked that a timeline for each part of the project be available to the public. Mr. Walker asked about the legal fees to defend the Borough against lawsuits, which are borne by the Borough’s insurance company. Mr. Weiss advised Mr. Walker that the Colony anticipates its legal costs to be \$300,000. Mr. Walker then asked if lakebed dredging would affect dam building; dredging cannot be performed within 200 feet of the building site.

Claire Carlyle, 250 Chicagami Trail, asked if the Borough were presently suing Camp Ockanickon or any other dams upstream. The Borough is not presently counter-suing; the Camden County Joint Insurance Fund will make any determination to do so.

Joe Aromando, 285 Shingowack Trail, asked Mr. Black and Mr. Kaczur to give examples of previous dam projects with which they had been associated, which they did.

Council recessed for ten minutes following the question and answer portion of the meeting.

REPORTS

SOLICITOR – Mr. Vogdes spoke with Debra Cole, Esq., attorney for the League of Municipalities concerning the State mandated storm water regulations. The mandates are not funded and present huge financial burden to New Jersey’s municipalities. Mr. Vogdes suggested the idea that several towns join together and challenge the regulations; this is a public works issue.

Council directed Solicitor Vogdes, Manager Knight and DPW Superintendent McCorristan to research other municipalities’ ordinances and how a similar ordinance would affect Medford Lakes.

Council directed Solicitor Vogdes to obtain a copy of Edgewater Park’s engineering study and provide it to Council

Mr. Vogdes advised Council that the application to OEM/FEMA for the Lower Aetna dam represented a good work product. He complimented Manager Knight and Paul Weiss on their effort.

MANAGER – Mr. Knight announced the bids went out for the new truck. They are due back on February 24, 2005.

The Borough offices will be closed on February 11, 2005, in remembrance of Lincoln's birthday. There will not be trash pickup, large trash pickup, or Saturday trash drop off.

Mr. Knight advised Council that Mark McIntosh is currently in his last class prior to being tested and certified as a Municipal Clerk.

The rented DPW temporary trailer was returned; employees have relocated to the Wastewater trailer. There is no public access to that trailer; it is considered an industrial site.

Councilman Woodend asked if bids were prepared to refurbish the trash truck.

Council directed Manager Knight to follow up with Superintendent McCorristan concerning bids for the truck and to provide the truck's warranty.

Mr. Knight reported he was well pleased with the appointment of Donna Condo as Financial Officer. She will take the required courses to become re-certified in June.

Council discussed the proposed sign ordinance. They will re-visit the ordinance at the Regular Council meeting on March 10, 2005, at 6:30pm, prior to the regular meeting time of 7:30pm.

Council directed Manager Knight to make the proper notifications concerning the time change.

COUNCILMAN WOODEND - Fire Chief Mark McIntosh reported to Council that the annual banquet of the Medford Lakes Fire Company will be held on Saturday, March 12, 2005.

Police Chief Frank Martine, Lieutenant Steve Carbone, and Officer Jon Cherby will receive an award for meritorious service for their actions during the flood on July 12, 2004. The award will be given by the Burlington County 200 Club on February 25, 2005.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, asked Council about the repair of the DPW truck. He advised Council the truck was custom designed by the vendor, and suggested it could be cheaper to have them do the repairs.

Council directed that DPW Superintendent McCorristan contact the vendor concerning the repairs.

Mr. Aromando asked about Tax Assessor Doug Kolton's statement in the newspaper concerning assessed value versus appraised value. Medford Lakes is currently running at between 50 and 60%.

Finally, Mr. Aromando asked about a developer who wants to tie into the Medford Lakes sewer plant, with the construction of 110 homes. He apprised Council of his position that the developer should pay for all aspects of the plan, including permits, capacity studies, etc. Councilman Woodend is negotiating for the Borough.

APPROVAL OF MINUTES

Council initially tabled approval of the minutes, to allow Councilman Woodend time to examine them.

Councilman Woodend made a motion, seconded by Councilman Casey, to approve the minutes of the Regular Council Meeting on January 27, 2005.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

PAYMENT OF BILLS

Council discussed several bills; they agreed to withhold payment for an invoice from All Industrial Safety, for confined space training, until it could be confirmed.

Council directed Manager Knight to research the invoice, prior to submitting it at the next Council Meeting.

Councilman Casey made a motion, seconded by Mayor Wasson, to withhold payment on Purchase Order 5-02.

VOTE ON MOTION

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

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

VOTE TO PAY BILLS ON BILL LIST

Ayes: Wasson, Casey, Woodend

Nays: None

Payment of bills is approved

ADJOURNMENT

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

VOTE TO ADJOURN

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned at 9:35pm

Respectfully submitted,

Richard Knight
Borough Manager

