

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
JULY 28, 2005**

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 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 has been 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 Manager Rich Knight, Solicitor Jim Vogdes, and Chief of Police Frank Martine.

**PUBLIC COMMENT**

*There was no public comment at this time.*

**APPROVAL OF MINUTES**

Mayor Wasson made a motion, seconded by Councilman Casey, to approve the minutes of the July 14, 2005, Regular Council Meeting, with one change.

VOTE TO APPROVE MINUTES

Ayes: Wasson, Casey, Woodend

Nays: None

Minutes are approved

**ORDINANCES**

There were no ordinances for consideration at this time.

**RESOLUTIONS**

Councilman Woodend introduced Resolution 95-05, seconded by Councilman Casey.

**RESOLUTION 95-05**

**A RESOLUTION AUTHORIZING TEMPORARRRY TRAFFIC REGULATIONS**

**WHEREAS**, on August 5, 2005 the Medford Lakes Colony will be hosting their annual "Festival of Lights" event and on August 6, 2005 the Medford Lakes Colony will be hosting their annual "Canoe Carnival" event; 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 to 8); 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 above events 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. Chief Frank Martine advises all residents and operators of motor vehicles that the following special traffic regulations will be in effect for the annual Canoe Carnival on Saturday, August 6, 2005. Additional traffic regulations will also be in effect on Friday, August 5, 2005 for the annual Festival of Lights Night. **Residents are strongly urged to bicycle or walk to the Canoe Carnival, which is being held at Beach Three.**

There will be **NO PARKING** in the following areas between the hours of 4:00 pm, August 6, and 4:00 am, August 7, 2005. Violators will be issued traffic citations and vehicles will be towed at the owner's expense.

Algonquin Trail	No Parking dead end to Mishemokwa Trail, north side.
Apache Trail	No Parking the entire length on either side.
Beach 3 Park Lot	No Public Parking. VIP, handicapped and emergency vehicles only. NE & SW corners.
Bowker Road	No Parking the entire length on the north side.
Cabin Circle	No Parking in Borough Lot (Construction)
Comanche Trail	No Parking southbound (Stokes Road side).
Hiawatha Trail	No Parking Mohawk Trail to Kenozha Trail, east side.
Hiawatha Trail	No Parking Algonquin Trail to Lenape Trail, east side.
Kawesea Trail	No Parking entire length on either side.
Kihade Trail	No Parking Mishemokwa Trail to Migazee Trail, east side.
Meeshaway Trail	No Parking entire length on either side.
Miami Trail	No Parking entire length on either side.
Minnetonka Trail	No Parking Stokes Road to Hiawatha Trail, north side.
Mishemokwa Trail	No Parking Mohawk Trail to Algonquin Trail, either side.
Mohawk Trail	No Parking Stokes Road to Mishemokwa Trail, either side.
Narragansett Trail	No Parking Wagush Trail to Mudjekeewis Trail, either side.
Natchez Trail	No Parking Lenape Trail to Hiawatha Trail, either side.
Navajo Trail	No Parking the entire length on either side.
Niska Trail	No Parking entire length on either side.
Nokomis Trail	No Parking entire length on either side.
Pawnee Trail	No Parking the entire length on the north side.
Pegwuk Trail	No Parking entire length on either side.
Piute Trail	No Parking entire length on either side.
Quogue Trail	No Parking entire length on either side.
Setauket Trail	No Parking entire length, north side.
Sitting Bull Trail	No Parking Meeshaway Trail to Wagush Trail on either side.
Stokes Road	No Parking on the northbound side, south of the Bowker/Comanche intersection.
Stokes Road	No Parking, either side, between Lenape Trail and Bowker Road.
Tabernacle Road	No Parking on either side between Stokes Road and Oak Drive.
Timbo Trail	No Parking the entire length on either side.
Trading Post Trail	No Parking the entire length on either side.
Wabun Trail	No Parking the entire length on either side.
Wagush Trail	No Parking the entire length from Lenape Trail to Sitting Bull Trail.

Wahwahtaysee Trail	No Parking the entire length on either side.
Wyandot Trail	No Parking from Lenape Trail to Algonquin Trail on either side.
All Bridges	Parking is strictly prohibited on any bridge.

There will be SPECIAL TRAFFIC REGULATIONS in effect in the following areas between the hours of 6:30 pm Saturday, August 6, 2005 and 2:00 am Sunday, August 7, 2005. Starting at 6:30 pm, the entire area bounded by Lake Mishemokwa will be closed to motor vehicle traffic.

Hiawatha Trail	Closed to vehicle traffic from Big Chief to Minnetonka Trail.
Minnetonka Trail	Closed to vehicle traffic; entire length.
Mishemokwa Trail	Closed to vehicle traffic from Algonquin Trail to Mohawk Trail.
Mohawk Trail	Closed to vehicle traffic from Stokes Road Kawesea Trail.
Wagush Trail	Closed to vehicle traffic from Algonquin Trail to Narrangansett Trail.

**FESTIVAL OF LIGHTS NIGHT – AUGUST 5, 2005**

There will be **NO PARKING** in the following areas between the hours of 6:00 pm, August 5, 2005 and 2:00 am, August 6, 2005. Violators will be issued traffic citations and vehicles will be towed at the owner’s expense.

Algonquin Trail	No Parking Dead End to Mishemokwa Trail, north side.
Hiawatha Trail	No Parking Minnetonka Trail to Kenozha Trail, east side.
Minnetonka Trail	No Parking Stokes Road to Hiawatha Trail, north side.
Mishemokwa Trail	No Parking Mohawk Trail to Algonquin Trail, either side.
Mohawk Trail	No Parking Stokes Road to Mishemokwa Trail, either side.
Niska Trail	No Parking entire length on either side.
Nokomis Trail	No Parking Mohawk Trail to Kawesea Trail, either side.

**NOTE:** On **ALL** trails within the Borough of Medford Lakes, vehicles parked so as to interfere with traffic flow will be **cited and towed at the owner’s expense**.

All illegally parked vehicles, to include those parked on bridges, will receive a traffic citation and will be towed to various impound areas throughout Burlington County. **Towing and storage fees will be substantial** according to law.

**ALCOHOLIC BEVERAGES:** The possession of alcoholic beverages on public areas and on Colony property is prohibited. **ALL VIOLATORS WILL BE PROSECUTED.**

**CONTAINERS** of any sort, carried onto Beach Three during Festival of Lights Night and Canoe Carnival evenings are subject to search.

**LOITERING** and **LITTERING** will be prosecuted.

*PUBLIC COMMENT: None*

**VOTE TO APPROVE RESOLUTION 95-05**

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 95-05 is approved

Councilman Casey introduced Resolution 96-05, seconded by Mayor Wasson.

**RESOLUTION 96-05**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON-PREMISES RAFFLE) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.**

**WHEREAS**, the **MEDFORD LAKES EDUCATION FOUNDATION INC.** has qualified in the prescribed manner and submitted an application to hold a **On Premise Raffle** on September 24, 2005; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the **On Premise 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 **On Premise Raffle** be and is hereby granted to the **Medford Lakes Education Foundation Inc.**

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 96-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 96-05 is approved

Councilman Casey introduced Resolution 97-05, seconded by Mayor Wasson.

**RESOLUTION 97-05**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (ON-PREMISES 50/50) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.**

**WHEREAS**, the **MEDFORD LAKES EDUCATION FOUNDATION INC.** has qualified in the prescribed manner and submitted an application to hold a **On Premise 50/50** on September 24, 2005; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the **On Premise 50/50** 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 **On Premise 50/50** be and is hereby granted to the **Medford Lakes Education Foundation Inc.**

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 97-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 97-05 is approved

Councilman Casey introduced Resolution 98-05, seconded by Mayor Wasson.

**RESOLUTION 98-05**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE TO CONDUCT A LEGALIZED GAME OF CHANCE (CASINO NIGHT) TO THE MEDFORD LAKES EDUCATION FOUNDATION, INC.**

**WHEREAS**, the **MEDFORD LAKES EDUCATION FOUNDATION INC.** has qualified in the prescribed manner and submitted an application to hold a **Casino Night** on September 24, 2005; and

**WHEREAS**, Council has reviewed the findings and determinations and concur that the **Casino Night** 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 **Casino Night** be and is hereby granted to the **Medford Lakes Education Foundation Inc.**

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 98-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 98-05 is approved

Mayor Wasson introduced Resolution 99-05, seconded by Mayor Wasson.

**RESOLUTION 99-05**

**A RESOLUTION AUTHORIZING A DEPUTY MAYOR**

**WHEREAS**, N.J.S.A. 37:1-13 provides that both a Mayor and a Deputy Mayor are authorized to perform weddings; and

**WHEREAS**, Mayor Wasson is unable to perform a wedding in September; and

**WHEREAS**, the Borough of Medford Lakes desires to appoint a Deputy Mayor;

**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. Councilman Timothy S. Casey is appointed Deputy Mayor of the Borough of Medford Lakes, said appointment expires on September 30, 2005.

*PUBLIC COMMENT: None*

VOTE TO APPROVE RESOLUTION 99-05

Ayes: Wasson, Casey, Woodend

Nays: None

Resolution 99-05 is approved

## **OLD BUSINESS**

**DAM RESTORATION** – Manager Knight reported he received communication from Commerce Insurance concerning the flood zone. The firehouse and Public Works Department are considered one structure and are not in the flood zone. As such, the \$500,000 deductible does not apply. However, the Wastewater Department is in the flood zone, which makes the Borough responsible for the \$500,000 deductible.

Much of the equipment lost in the flood in the EMS building may be covered by insurance.

Mr. Knight received a \$19,000 quote for flood insurance; it will be included in the budget for 2006.

Wastewater Superintendent Paul Hayden is arranging for fencing for the Beach Drive pumping station.

**OAKS HALL** – Project Manager Jim Madden visited Heartbilt Homes in Illinois and returned with a contract signed by President Dwayne Hansen. Council has not signed the contract; Solicitor Vogdes again advised the importance of Mr. Hansen being fully cognizant of New Jersey building codes and other building requirements, especially performance bond and prevailing wage.

Council discussed structural items of the project.

Manager Knight hopes to have the final Pinelands decision on the foundation by next week.

Council directed Manager Knight to investigate the dimensions of the structure to determine if the size of the building is an inside or outside measurement. At this time, Architect Rick Ragan is not actively involved in the project.

Council discussed the proposed project manager for the building project. Councilman Woodend suggested hiring a clerical person instead of a construction manager; the paperwork will be sizable and the engineers will oversee the project. Councilman Casey would like the individual hired to have at least some construction background as well as a financial one.

Council directed Manager Knight to explore the possibility of hiring an individual with clerical and engineering experience.

Councilman Woodend suggested having glass in the window openings, but not operable windows. This should result in a significant savings against the custom-made one required for the log structure.

*PUBLIC COMMENT: Joe Aromando, 285 Shingowack Trail, asked about the risk of fire with non-opening windows. Operable windows would be installed if required by the fire marshal.*

**PARKING** – Council discussed the possibility of restructuring Trading Post Trail as a one-way street and utilizing angle parking. New temporary barriers are being considered for the bike path along the trail, until the dams are restored.

Police Chief Frank Martine advised Council that the State of New Jersey, not just Burlington County, must approve changing Trading Post Trail to a one-way street.

*PUBLIC COMMENT: Arnold Fishman, 210 Chippewa Trail, asked about building a sidewalk on Tabernacle Road from Trading Post Trail to Beach one; Council had considered but was denied due to stream encroachment.*

## **REPORTS**

**MANAGER** – current tax bills are ready to be mailed.

**SOLICITOR** – With regard to pending flood litigation, Mr. Vogdes advised Council that Brown and Connery sent interrogatories to the Borough for completion; however, they do not contain much information. Solicitor Vogdes explained the procedures involved in a class action suit and encouraged everyone involved to forward as much information as possible to Brown and Connery.

Council directed Manager Knight to forward copies of the interrogatories to each of them.

Mr. Vogdes discussed the USDA loan for dam reconstruction.

The agreement with Bob Meyer Communities is ready. Mr. Vogdes found three of the four previous agreements with Medford Pines, but has not found the inter-local agreement. Council will discuss it in Executive Session after the meeting.

*PUBLIC COMMENT: Joe Aromando asked in how many lawsuits the Borough had been named; three at the current time. The suits are evolving and it is unknown at the time if they are all class action suits.*

*Arnold Fishman asked who is being represented by White Williams; the firm represents the Colony.*

*Carl Pellegrino, 242 Chippewa Trail, thanked Council for accelerating the dam restoration process and offered considerable research he has accumulated, which he will provide at the August meeting.*

Councilman Casey asked Mr. Pellegrino to arrange another Task Force meeting.

## **ADJOURNMENT TO EXECUTIVE SESSION**

Mayor Wasson made a motion, seconded by Councilman Casey, to adjourn the meeting to Executive Session, at which time action may be taken.

### **RESOLUTION 100-05 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 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. the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session as follows:

**Bob Meyer negotiations and a personnel issue; and**

2. the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at time when the Borough Solicitor advises 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; and
3. 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.

**VOTE TO ADJOURN TO EXECUTIVE SESSION**

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned to Executive Session at 8:30pm

**RETURN TO REGULAR MEETING**

Mayor Wasson made a motion, seconded by Councilman Casey, to return to the Regular Meeting.

**VOTE TO RETURN TO REGULAR MEETING**

Ayes: Wasson, Casey, Woodend

Nays: None

Motion carries

**ADJOURNMENT**

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

**VOTE TO ADJOURN**

Ayes: Wasson, Casey, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight  
Borough Manager

