

BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
APRIL 26, 2007

The Regular Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in Vaughan Hall of the Medford Lakes Colony beginning at 7:30pm. Following the Pledge of Allegiance, Mayor Casey 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.

In attendance were Mayor Tim Casey, Councilman Paul Weiss and Councilman Gary Woodend. Also present were Manager Rich Knight, Deputy Clerk Mark McIntosh, Solicitor Peter Lange, Wayne Simpson of Alaimo and Peter Black of Dewberry.

DAM RECONSTRUCTION COMMUNITY UPDATE

Mr. Simpson advised the large crowd in attendance that he is pleased with the contractor's performance and the status of the project. He also advised that he and a construction manager are on-site daily to supervise and protect residents from faulty work.

The roller compacted concrete part of the project will not be a 24/7 operation as previously thought.

The original estimate for repair of the dams was \$10 million. The actual cost should come in under that amount.

Both dams have to be finished prior to filling the lakes. If both lakes cannot be filled at the same time, Lower Aetna Lake will be filled first. It will take approximately 2-3 weeks to fill the lakes when the dams are completed. The water elevation will be the same as prior to the flood. The spillways will also be the same as prior to the flood.

The three beaches on the Aetna Lakes need restoration, which is a Colony responsibility. The contractor is responsible for returning the beach to its status following the flood, not prior to it. Work on Beaches Two and Five can be started any time; work on Beach One cannot start until the contractor is finished there, hopefully in late June. The large mound of dirt on Beach One may be able to be moved to allow an earlier start on restoration there.

Mr. Simpson will discuss moving the dirt with the contractor.

Princeton Hydro and Mr. Simpson will work on the grading plan.

Beach Drive is being constructed for traffic, with the same width as prior to the flood and better lighting. The lakes will be filled and then Council will decide, possibly in August, whether or not to make Beach Drive a one-way street. Also under consideration is whether or not to close Beach Drive to vehicular traffic, only open for emergency vehicles. Council will consider the use of speed bumps.

The construction traffic at Beach One and on Stokes Road should be winding down by the start of camp in the beginning of July.

Council hopes to have Aetna Way open prior to the start of school, September of 2007. It will have a railing and lights.

Mayor Casey suggested rescheduling Canoe Carnival to Labor Day Weekend, in the event Beach One is not finished by August 4th, the date of the Carnival. Colony President Sara Plasha advised the Colony Board is considering a date change and is also discussing using Beach Three for the carnival on August 4th.

Funding for the dam restorations continues to be an issue. Council again discussed hiring an advocate to work with FEMA for financial reimbursement. No dam reimbursement funding has been diverted to the Oaks Hall building project.

The judgments resulting from flood lawsuits are covered by the Joint Insurance Fund, with no expenditure to the Borough.

Council recessed at 8:30pm for ten minutes.

PUBLIC COMMENT

Doug White, 120 McKendimen Road, asked about the island at the intersection of Stokes Road and Trading Post Trail.

Manager Knight will determine if the island can be removed during the dam reconstruction through discussions with Wayne Simpson and the Police Department

Also, Council plans to have a sidewalk installed around the corner of Mr. White's property, from Tabernacle Road to McKendimen Road, following completion of the dams.

Mike Powers, 19 Onondago Trail, asked if the guard rails along the bridge on Tabernacle Road could be painted; he thinks the rust finish is unsightly. The rails were purchased specifically to have that finish.

APPROVAL OF MINUTES

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes for the April 5, 2007 Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

ORDINANCES

Mayor Casey introduced Ordinance 527, seconded by Councilman Weiss, on First Reading.

ORDINANCE 527

AN ORDINANCE TO ESTABLISH REQUIREMENTS TO CONTROL LITTERING IN THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to establish requirements to control littering in the Borough of Medford Lakes so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION III. PROHIBITED ACTS AND REGULATED ACTIVITIES

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION IV. ENFORCEMENT

This ordinance shall be enforced by the Borough of Medford Lakes Police Department, New Jersey Forest Ranger or the Code Enforcement Officer of the Borough of Medford Lakes.

SECTION V. PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$2,700.00.

SECTION VI. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 527

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 527 is approved on First Reading

Mayor Casey introduced Ordinance 528, seconded by Councilman Weiss, on First Reading.

ORDINANCE 528

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER DISPOSAL OF PET SOLID WASTE IN THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT PUBLIC HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Medford Lakes, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. REQUIREMENT FOR DISPOSAL

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. ENFORCEMENT

The provisions of this Article shall be enforced by the Borough of Medford Lakes Police Department and the Code Enforcement Officer of the Borough of Medford Lakes.

SECTION V. VIOLATIONS AND PENALTY

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,200.00.

SECTION VI. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 528

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 528 is approved on First Reading

Mayor Casey introduced Ordinance 529 as amended, seconded by Councilman Weiss as amended, on First Reading.

ORDINANCE 529

AN ORDINANCE TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT PUBLIC HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Medford Lakes, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are not domesticated.

SECTION III. PROHIBITED CONDUCT

a. No person shall feed, in any public park or on any other property owned or operated by the Borough of Medford Lakes any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers) and feral cats being captured as part of a Borough approved neuter-release program.

SECTION IV. ENFORCEMENT

- a. This ordinance shall be enforced by the Borough of Medford Lakes Police Department, New Jersey State Forest Rangers and Code Official of the Borough of Medford Lakes.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION V. VIOLATIONS

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,200.00.

SECTION VI. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 529

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 529 is approved on First Reading

Mayor Casey introduced Ordinance 530 as amended, seconded by Councilman Weiss as amended, on First Reading.

ORDINANCE 530

AN ORDINANCE TO REGULATE BRUSH COLLECTION AND DISPOSAL IN THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT PUBLIC HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to regulate brush collection and disposal in the Borough of Medford Lakes so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply with same.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. The word "shall" is always mandatory.

- a. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- b. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway and includes Borough property and the land between the street lines and right of way, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the municipal right of way.
- c. Brush collection – means the gathering and stockpiling of brush, limbs or twigs.

SECTION III. BRUSH COLLECTION

Residents of the Borough of Medford Lakes may place brush by the edge of the road no sooner than 2 weeks prior to your scheduled collection week. Residents must place your brush more than 10 feet from any drain inlet or any retention, detention or drainage area. Brush should not be cross-piled and should be stacked so the butt-end of the branches is toward the street. Brush should be limited to:

- a. No more than 2 piles, (3' feet high by 7' feet long)
- b. Twigs less than 3' feet in length must be tied in bundles of less than 20 lbs.
- c. No brush/limbs larger than 3" inches in diameter will be taken.
- d. No brush from private tree removal services or from the clearing of land for residential pools or other accessory uses will be taken.
- e. No logs, stumps or shrubs will be taken.

SECTION IV. ENFORCEMENT

The Borough of Medford Lakes Code Enforcement Department and/or the Medford Lakes Borough Police Department shall enforce the provisions of this ordinance.

SECTION V. VIOLATIONS AND PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine as follows:

- First Offense - resident noticed and required to remove brush within (10) ten days.
- Second Offense - resident required to remove brush within additional (10) ten days and a \$100 fine.
- Third Offense - resident required to remove brush within additional (10) ten days and a fine of not less than \$500 and not more than \$2000.

A continuing violation or repeated noncompliance with the provisions of this section shall be deemed a nuisance, and the Mayor and Borough Committee shall have the right to apply to the courts of this State for injunctive relief or other relief in addition to the penalties provided for herein.

SECTION VI. SEVARABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 530

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 530 is approved on First Reading

Mayor Casey introduced Ordinance 531, seconded by Councilman Weiss, on First Reading.

ORDINANCE 531

AN ORDINANCE TO PROHIBIT ILLIGAL CONNECTIONS TO THE MUNICIPAL STORM WATER SEWER SYSTEM(S) OPERATED BY THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT PUBLIC HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to prohibit illegal connections to the municipal storm sewer system(s) operated by the Borough of Medford Lakes so as to protect public health, safety and welfare, and to proscribe penalties for the failure to comply.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illegal connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than storm water) to the municipal separate storm sewer system operated by Borough of Medford Lakes, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Storm water General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Medford Lakes or other public body, and is designed and used for collecting and conveying storm water.
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leach ate and cooling water other than non-contact cooling water.
- i. Storm water – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION III. PROHIBITED CONDUCT

No person shall discharge or cause to be discharged through an illegal connection to the municipal storm sewer system operated by Borough of Medford Lakes any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than storm water).

SECTION IV. ENFORCEMENT

The Medford Lakes Borough Police Department and the Code Enforcement Officer of the Borough of Medford Lakes shall enforce this ordinance.

SECTION V. PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,200.00 for every occurrence.

SECTION VI. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. EFFECTIVE DATE This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 531

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 531 is approved on First Reading

Mayor Casey introduced Ordinance 532, seconded by Councilman Weiss, on First Reading.

ORDINANCE 532

AN ORDINANCE TO PROHIBIT THE SPILLING, DUMPING, OR DISPOSAL OF MATERIALS OTHER THAN STORM WATER TO THE MUNICIPAL STORM SEWER SYSTEM (MS4) OPERATED BY THE BOROUGH OF MEDFORD LAKES, SO AS TO PROTECT PUBLIC HEALTH, SAFETY, WELFARE AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. PURPOSE

An ordinance to prohibit the spilling, dumping, or disposal of materials other than storm water to the municipal storm sewer system (MS4) operated by the Borough of Medford Lakes, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Medford Lakes or other public body, and is designed and used for collecting and conveying storm water.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm water – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION III. PROHIBITED CONDUCT

The spilling, dumping, or disposal of materials other than storm water into the municipal storm sewer system operated by the Borough of Medford Lakes is prohibited. The spilling, dumping, or disposal of materials other than storm water in such a manner as to cause the discharge of pollutants to the municipal storm sewer system is also prohibited.

SECTION IV. EXEMPTIONS TO PROHIBITION

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded. Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V. ENFORCEMENT

This ordinance shall be enforced by the Medford Lakes Borough Police Department and the Code Enforcement Officer of the Borough of Medford Lakes.

SECTION VI. PENALTIES

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed \$1,250.00

SECTION VII. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

VOTE TO APPROVE ORDINANCE 532

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 532 is approved on First Reading

Mayor Casey introduced Ordinance 533, seconded by Councilman Weiss, on First Reading.

ORDINANCE 533

AN ORDINANCE TO ESTABLISH MIMIMUM STORM WATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT, CONSISTENT WITH THE STATEWIDE STORM WATER REQUIREMENTS AT N.J.A.C.7:8, THE REGULATIONS AND STANDARDS CONTAINED IN THE PINELANDS CMP, AND THE PROVISIONS OF THE ADOPTED MASTER PLAN AND LAND USE ORDINANCES OF MEDFORD LAKES BOROUGH

(NOTE: THE ORDINANCE, PROVIDED BY ALAIMO ASSOCIATES, IS APPROXIMATELY 50 PAGES IN LENGTH. IT IS NOT INCLUDED IN THESE MINUTES, BUT WILL BE AVAILABLE IN THE BOROUGH OFFICE AND ON THE WEB SITE.)

VOTE TO APPROVE ORDINANCE 533

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 533 is approved on First Reading

Mayor Casey introduced Ordinance 534, seconded by Councilman Weiss, on First Reading.

ORDINANCE 534

AN ORDINANCE AUTHORIZING THE APPROPRIATION IN THE AMOUNT OF \$8,405.00 FROM THE RESERVE FUND FOR PUBLIC WORKS EQUIPMENT FUND, FOR THE ACQUISITION OF CERTAIN EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE BOROUGH OF MEDFORD LAKES, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY

Following discussion, Council was not prepared to vote on the ordinance.

Mayor Casey made a motion, seconded by Councilman Weiss, to table approval of Ordinance 534 on First Reading.

VOTE TO TABLE ORDINANCE 534
Ayes: Casey, Weiss, Woodend
Nays: None
Approval of Ordinance 534 is tabled

RESOLUTIONS

Mayor Casey introduced Resolution 68-07, seconded by Councilman Woodend.

RESOLUTION 68-07

A RESOLUTION APPOINTING AN ENVIRONMENTAL COMMISSION MEMBER

WHEREAS, a vacancy has occurred on the environmental commission; and

WHEREAS, the vacancy shall be filled for the unexpired term as identified in Resolution Number 158-05; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position on the Commission;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the following appointment be made to the Environmental Commission:

<u>APPOINTEE</u>	<u>CLASS DESIGNATION</u>	<u>COMMENCEMENT OF TERM</u>	<u>EXPIRATION OF TERM</u>
Michael Keating	Rep. to the PB	April 26, 2007	December 31, 2008

VOTE TO APPROVE RESOLUTION 68-07
Ayes: Casey, Weiss, Woodend
Nays: None
Resolution 68-07 is approved

Mayor Casey introduced Resolution 69-07, seconded by Councilman Woodend.

RESOLUTION 69-07

A RESOLUTION APPOINTING A PLANNING BOARD MEMBER

WHEREAS, the Planning Board has a vacancy for a member described as a Class Alternate #2; and

WHEREAS, the appointment is for a two-year term; and

WHEREAS, it is the desire of the Borough Council to appoint qualified individuals to fill the position on the Planning Board;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the following appointment be made to the Planning Board:

<u>APPOINTEE</u>	<u>CLASS DESIGNATION</u>	<u>COMMENCEMENT OF TERM</u>	<u>EXPIRATION OF TERM</u>
Michael Keating	Alternate #2 Environmental Commission Liaison	April 26, 2007	April 26, 2009

VOTE TO APPROVE RESOLUTION 69-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 69-07 is approved

OLD BUSINESS

OAKS HALL – work continues on the roof and the porches, the windows will be next. It is anticipated that the Borough will be ready to go out for general contractor bids for the fit out in May. The final cost of the project will not be known until the final phase is bid.

NEW BUSINESS

There was no new business for discussion at this time.

CORRESPONDENCE

LENAPE REGIONAL BUDGET – the budget for the Lenape Regional High School District was defeated in the recent election. Now, each of the sending districts will have a representative attend a meeting to discuss the future of the budget.

Mayor Casey made a motion, seconded by Councilman Woodend, to have Councilman Weiss represent the Borough at the meeting.

VOTE ON MOTION

Ayes: Casey, Woodend

Nays: None

Abstain: Weiss

Motion carries

BEACH DRIVE – Council received a letter from a Borough resident asking them to consider keeping Beach Drive closed following the dam restoration. As stated earlier, Council will consider the issue at a later date.

RE-ASSESSMENT – Resident Joe Aromando sent a letter to Council requesting a tax re-assessment be done in the Borough. Council hopes to schedule and budget for a re-assessment in 2008.

Council directed Manager Knight to respond in writing to Mr. Aromando's letter.

REPORTS

SOLICITOR – Mr. Lange is still proceeding in his effort to have the buildings demolished on the Easi property at the corner of Stokes Road and Lenape Trail. He is attempting to obtain a court order requiring the razing.

MANAGER – Mr. Knight reported curbside leaf collection has started.

A portion of Medford Lakes will be sprayed by the County for gypsy moths. The administration office will call residents in the area **who ask to be notified** of the date and time of the spraying.

MAYOR CASEY – Mr. Casey reported the Borough's audit is complete, with complimentary results. Auditor Stewart did ask that a physical asset inventory be done.

COUNCILMAN WEISS – Mr. Weiss reported the sink hole on Nantucket Trail has been repaired.

The mold problem in the Public Works building is ongoing. Public Works employees are in the process of removing tools and other items from the building. Mr. Weiss again suggested tearing down the section of the building in question.

Councilman Weiss made a motion, seconded by Mayor Casey, to secure a professional to investigate whether or not the center part of the building, between the garage bays and the fire house, can be torn down, and to obtain quotes for same.

VOTE ON MOTION
Ayes: Casey, Weiss, Woodend
Nays: None
Motion carries

PAYMENT OF BILLS

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

VOTE ON APPROVE PAYMENT OF BILLS
Ayes: Casey, Weiss, Woodend
Nays: None
Motion carries

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Casey made a motion, seconded by Councilman Woodend, to adjourn to executive session.

RESOLUTION 70-07 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 in 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 is a professional services contract; and

2. the Borough Council hereby declares that it's discussion of the aforementioned subject(s) may be made public at a time when the Borough Solicitor advised 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: Casey, Weiss, Woodend

Nays: None

Meeting adjourned

RETURN TO REGULAR COUNCIL MEETING

Mayor Casey made a motion, seconded by Councilman Woodend, to return to the Regular Council Meeting. No official action will be taken.

VOTE TO RETURN TO REGULAR COUNCIL MEETING

Ayes: Casey, Weiss, Woodend

Nays: None

Motion carries

ADJOURNMENT

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

VOTE TO ADJOURN

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

