

**BOROUGH OF MEDFORD LAKES  
REGULAR COUNCIL MEETING  
AUGUST 2, 2007**

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. 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 Casey, Councilman Weiss, and Councilman Woodend. Manager Knight and Deputy Clerk McIntosh were also present.

Council and the public observed a moment of silence to honor those service men and women currently in harm's way overseas.

**PUBLIC COMMENT**

*There was no public comment at this time.*

**APPROVAL OF MINUTES**

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the July 19, 2007 Regular Council Meeting.

VOTE TO APPROVE MINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

**CONSENT AGENDA RESOLUTIONS**

"Consent Agenda" items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported with a Certification of Availability of Funds from the Chief Financial Officer; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

Mayor Casey introduced Resolution 108-07, seconded by Councilman Weiss.

**RESOLUTION 108-07**

**A RESOLUTION AUTHORIZING THE REFUND OF A FIRE INSPECTION FEE**

**WHEREAS**, a refund is due a settlement company as the result of a cancellation of an inspection on the resale of a property; and

**WHEREAS**, the property is located at 129 Manhasset Trail, Medford Lakes, New Jersey also known as B: 30112, L: 4126; and

**WHEREAS**, a refund in the amount of \$35.00 should be granted to Settlement Systems, Inc;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey that a check representing the refund amount of \$35.00 be dispensed to Settlement Systems, INC., North Crossing Garden Offices, 112J Centre Boulevard, Marlton, NJ. 08053.

**VOTE TO APPROVE RESOLUTION 108-07**

Ayes: Casey, Weiss

Nays: None

Abstain: Woodend

Resolution 108-07 is approved

Mayor Casey introduced Resolution 109-07, seconded by Councilman Weiss.

**RESOLUTION 109-07**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS FOR PARTICIPATION IN THE MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$10,500.00**

**WHEREAS**, N.J.S.A 26:2BB-1 the New Jersey Governor's Council on Alcoholism and Drug Abuse has awarded a DEDR (Drug Enforcement Demand Reduction) grant to the Borough of Medford Lakes in the amount of \$10,500.00; and

**WHEREAS**, the Borough of Medford Lakes would like to participate in this grant program and adhere to the conditions under which the grant shall be administered; and

**WHEREAS**, the funding period is from January 1, 2008 through December 31, 2008 and a 25% cash match and 75% in-kind match are required;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, hereby authorizes the Mayor and Clerk to execute the attached agreement between the Burlington County Board of Chosen Freeholders and the Borough of Medford Lakes.

**VOTE TO APPROVE RESOLUTION 109-07**

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 109-07 is approved

Mayor Casey introduced Resolution 110-07, seconded by Councilman Weiss.

**RESOLUTION 110-07**

**A RESOLUTION OF THE BOROUGH OF MEDFORD URGING THE STATE OF NEW JERSEY TO TAKE FINANCIAL RESPONSIBILITY FOR THE COST OF A STATE WIDE GYPSY MOTH PROGRAM**

**WHEREAS**, the State of New Jersey Department of Agriculture states on their web site that the gypsy moth, in its caterpillar stage, is the most destructive hardwood defoliator ever to occur in New Jersey; and

**WHEREAS**, since 1970 gypsy moth caterpillars have caused varying degrees of defoliation to between 1,910 – 800,000 acres of forest land every year; and

**WHEREAS**, in the early fall of each year, municipalities with heavy infestations of gypsy moths, as delineated by a summer aerial defoliation survey are contacted in writing by the Department and asked if they wish to have a gypsy moth egg mass count done; and

**WHEREAS**, if a residential or recreational forest of at least 50 acres has an average of more than 500 egg masses per acre, it might qualify for participation in the cooperative gypsy moth suppression program; and

**WHEREAS**, the Department applies for USDA Forest Service cost sharing funds, in addition to delineating treatment areas, which results in a 50% reimbursement of the treatment cost if the application is approved; and

**WHEREAS**, the Department is also responsible for choosing the insecticide to be sprayed and for supervising the actual spray operation; and

**WHEREAS**, in the determination made by the Department in the fall of 2006 that there were 15 counties with a total of 125,743 acres in need of gypsy moth suppression is clear evidence that defoliation is a statewide problem; and

**WHEREAS**, the 2.5% increase in expenditures of the 4% increase in tax revenue restrictions placed on municipalities, which is not applicable to the State of New Jersey, makes it difficult for the municipality to meet the needs of the residents;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Medford Lakes, County of Burlington, and State of New Jersey that a statewide Gypsy Moth Control Program needs to be instituted for the public health, safety and welfare; and

the State Legislature is hereby called upon to undertake immediate action to fully fund the gypsy moth control program due to the devastating destruction being caused by the gypsy moth caterpillars; and

a copy of this resolution shall be forwarded to Governor Corzine, Senator Martha W. Bark, Assemblymen Francis L. Bodine and Larry Chatzidakis, urging them to support full funding of a statewide gypsy moth control program by the State.

VOTE TO APPROVE RESOLUTION 110-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 110-07 is approved

## **RESOLUTIONS**

Mayor Casey introduced Resolution 111-07, seconded by Councilman Weiss.

### **RESOLUTION 111-07**

**A RESOLUTION RECOGNIZING SUSAN SHOURDS FOR HER LEADERSHIP AND SERVICE TO THE COMMUNITY WHILE SERVING ON THE PLANNING BOARD**

**WHEREAS**, Susan Shourds has served on the Borough of Medford Lakes Planning Board as Recording Secretary, Vice Chairman and Chairman; and

**WHEREAS**, Susan donated her leadership skills to oversee the operation of this organization; and

**WHEREAS**, Susan brought to bear her affection for the Medford Lakes community to guide in her decisions to promote and protect the public health, safety, morals, comfort, convenience and the general welfare of the people;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Medford Lakes hereby recognizes Susan Shourds for her leadership and devotion to the community.

VOTE TO APPROVE RESOLUTUION 111-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 111-07 is approved

Mayor Casey introduced Resolution 112-07, seconded by Councilman Weiss

**RESOLUTION 112-07**

**A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE ACCEPTANCE OF BEQUESTS, LEGACIES, AND GIFTS PURSUANT TO N.J.S.A. 40A: 5-29, SAID GIFTS TO BE DONATED TO THE BOROUGH OF MEDFORD LAKES IN THE MEMORY OF LILLIAN OAKS JENNINGS TO BE USED TO PAY FOR THE RESTORATION OF OAKS HALL**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A: 5-29 allows municipalities to receive amounts for the bequests, legacies, and gifts in memory of Lillian Oaks Jennings with said monies to be used for the Oaks Hall restoration project; and

**WHEREAS**, N.J.S.A. 40A: 4-39 provides that the Director of Local Government Services may approve expenditures of monies by dedication by rider;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Medford Lakes, County of Burlington, and State of New Jersey that the Mayor and Council hereby request permission of the Director of Local Government Services to pay expenditures for Oaks Hall restoration as per N.J.S.A. 40A:4-39; and the municipal clerk of the Borough of Medford Lakes is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.

VOTE TO APPROVE RESOLUTUION 112-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 112-07 is approved

Mayor Casey introduced Resolution 113-07, seconded by Councilman Woodend

**RESOLUTION 113-07  
A RESOLUTION TO AMEND THE 2007 BUDGET**

**WHEREAS**, the local municipal budget for the year 2007 was approved on the 5th day of April, 2007 and;

**WHEREAS**, the public hearing on said budget has been held as advertised; and

**WHEREAS**, it is desired to amend said approved budget;

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Medford Lakes, County of Burlington, that the following amendments to the approved budget of 2007 be made:

<b>ANTICIPATED REVENUES</b>		<b>FROM</b>	<b>TO</b>
1	Surplus Anticipated	\$ 763,768.00	\$ 930,768.00
	<b>TOTAL SURPLUS ANTICIPATED</b>	<b>\$ 763,700.00</b>	<b>\$ 930,768.00</b>
5.	Subtotal General Revenues (Items 1, 2, 3 and 4)	\$1,762,857.04	\$1,929,857.04
6.	Amount to be Raised for Taxes for Support of Municipal Budget: Local Purposes Including Reserve for Uncollected:		
a.	Taxes	\$2,786,376.87	\$2,619,367.87
	Total Amount to be Raised for Support of Budget	\$2,786,376.87	\$2,619,367.87
7.	<b>TOTAL GENERAL REVENUES</b>	<b>\$4,549,233.91</b>	<b>\$4,549,233.91</b>

and;

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the 2007 local municipal budget so amended.

CFO Donna Condo revisited the 2007 budget and has found ways to cut seven cents from the 17 cent proposed increase, almost all of which is earmarked for flood recovery. The surplus will reduce to 20%, instead of the preferred 24%.

Council discussed ways in which the Borough can reduce taxes.

Councilman Woodend made a motion, seconded by Councilman Weiss, to table Resolution 113-07 for further investigation. Council will vote on the resolution at the Regular Meeting on August 9, 2007, at 7:30pm.

**VOTE TO TABLE RESOLUTION 113-07**

Ayes: Weiss, Woodend

Nays: Casey

Resolution 113-07 is tabled

## **OLD BUSINESS**

**DAMS** – the Lower Aetna dam is done, with the exception of the electric and paving.

DEP is scheduled to inspect the dam on August 3, 2007, in hopes that filling Lower Aetna Lake can begin immediately.

Northeast Remsco has requested an extension of the original May 17, 2007 completion date. Alaimo has not granted the request. Northeast Remsco could be fined up to \$5,000 per day for each day they run over the deadline.

Council discussed deadlines, defaults, and damages at length.

Council directed Manager Knight to discuss liquidated damages and the contract with Northeast Remsco.

**FEMA REIMBURSEMENT** – Peter Black of Dewberry is researching FEMA's decision concerning the type of dam being built and the possibility of non-reimbursement.

Council directed Manager Knight to ask Peter Black for a deadline for reporting his findings.

Council agreed the dams must be completed by August 30, 2007, immediately prior to the start of the new school year.

Council directed CFO Condo to prepare a financial update on the dam numbers for the Regular Council Meeting on August 23, 2007.

**ROADS** –initial work for the improvements to Trading Post Trail are proceeding and the design work for the walkway along Ballinger Lake has begun.

**OAKS HALL** – Heartbilt was delayed one week in installing the windows. They are secured inside the building; it is hoped they can be completed in the coming week. An initial quote for the installation of the windows is \$55,000.

The final bid spec packages are not yet complete; they will presumably be complete by next week and can be advertised on August 10, 2007.

A bid site inspection is scheduled for August 23, 2007 at 2:00pm. Council discussed having a second inspection time and date and also allowing for private inspections conducted by Manager Knight.

Sykens stain will be used on the inside and outside of the log structure. Mr. Knight is waiting for the painting specs from Heartbilt. An initial quote for the staining is \$25,000.

Council directed Mr. Knight to obtain information from Heartbilt as to the frequency of re-staining the inside of the building.

Council directed Manager Knight to forward to them any updated information on the stain and windows as he receives it.

Manager Knight hopes to go out for bids by the August 23, 2007 Regular Meeting.

Council is still considering a geo-thermal heating system. Also, all data from the demolition of the building through the completed structure will be maintained.

**WASTEWATER** – Council is still waiting for Medford Township to inspect the plant preliminary to a discussion of a municipal utilities authority.

Council is considering cross training the DPW and Wastewater employees.

Councilman Weiss will discuss the possibility of cross-training with Superintendents Hayden and McCorrison.

Council directed Manager Knight to work with Superintendent Hayden to conduct more formal discussions with Medford concerning the MUA ideas.

**DPW BUILDING** – initial quotes are \$30,000 to demolish the building and \$18,000 to reroute the utilities. Council discussed whether or not to demolish the building now or wait until Oaks Hall is completed and work begins on the DPW building.

## **REPORTS**

**MANAGER** – the tax bills have not been sent out; it is hoped they will be sent within the next two weeks. The grace period extends from the date they are sent.

Superintendent McCorrison is considering a vector truck from Linwood for possible purchase; an alternative is to repair the truck currently owned by the Borough.

A summary judgment has been entered in the Sapi Lake litigation; thanks to the efforts of Borough Solicitor Peter Lange the Borough is eliminated from the litigation.

Mr. Easi has filed with the Pinelands Commission for permission to demolish the buildings on his property at the corner of Lenape Trail and Stokes Road. He has agreed to raze the buildings by November 1, 2007, date certain.

**PUBLIC SAFETY** – the State has signed off on the paperwork for the proposed shared fire services with Tabernacle and Shamong Townships.

**PUBLIC WORKS** – Council discussed leaf collection in the fall.

Council directed Superintendent McCorrison to prepare for the collection by examining personnel and equipment.

## **PAYMENT OF BILLS**

Council discussed at length the Nextel phones used by Borough employees and possible re-evaluation of the Nextel plan.

DPW Superintendent McCorrison forwarded a memo to Mayor Casey concerning the phone usage.

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

**VOTE TO PAY BILLS**

Ayes: Casey, Weiss, Woodend

Nays: None

Motion to pay bills is approved

**ADJOURNMENT**

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

**VOTE TO ADJOURN**

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned at 9:55pm

