

BOROUGH OF MEDFORD LAKES
REGULAR COUNCIL MEETING
MAY 10, 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. Also present were Manager Knight, Deputy Clerk McIntosh, Solicitor Lange, and Public Works Superintendent McCorrison.

PUBLIC COMMENT

Joe Aromando, 285 Shingowack Trail, asked Council to include a moment of silence following the Pledge of Allegiance in future meetings to honor those troops in harms way in Afghanistan and Iraq. Mr. McIntosh will include it on future agendas.

DEPARTMENT UPDATES

Medford Lakes Public Works Superintendent Pat McCorrison attended the meeting to discuss issues concerning his department.

DPW BUILDING - Mr. McCorrison reported that, following Council's instructions at the last Regular Meeting, he is in the process of emptying the public works building. The Police Department's D.A.R.E. truck and Borough Historian Clint Alexander's items are all that remain in the building.

Council directed Mr. McCorrison to move all items from the upstairs part of the building to the lower level for perusal by departments.

Council discussed the future of the Lion's Club building. It shares a common wall with the DPW building that is being torn down.

Council directed Manager Knight to obtain alternate bids for demolition of the building that include plans to preserve the Lion's building.

Council directed Manager Knight to send a letter to the Lion's Club, advising of the imminent demolition and asking them to name a representative to meet to discuss their building.

BULK TRASH – DPW is ready to implement Monday bulk trash pickup. The public will have to be notified of the change from the current Friday schedule.

Council directed Manager Knight to provide notice for the Colony News and to include an information flier in the next outgoing bills.

STORM WATER CULVERTS – Millie DeFeo, NJDEP, has scheduled a visit to the Borough, unknown reason at this time, possibly a compliance review. Mr. McIntosh and Superintendent McCorriston will meet with Alaimo on Monday, May 14th, prior to her visit on Tuesday, May 15th. Councilman Weiss suggested the Borough determine what records or reports she would need, in an effort to be fully prepared.

MISCELLANEOUS – Spring leaf collection has been completed.

Council asked Mr. McCorriston if DPW workers could grade new topsoil at Nokomis School, which he will have them do.

Council directed Deputy Clerk McIntosh to research PEOSHA to determine if the overhead lights in the DPW building need guards; he will advise Council of his findings.

The County put a patch on the Tabernacle Road bridge. The County has promised to refinish the bridge when the dams are completed.

Council thanked Mr. McCorriston for his cooperation.

APPROVAL OF MINUTES

Mayor Casey made a motion, seconded by Councilman Woodend, to approve the minutes of the April 26, 2007 Regular Council Meeting, with corrections.

VOTE TO APPROVE MIINUTES

Ayes: Casey, Weiss, Woodend

Nays: None

Minutes are approved

ORDINANCES

Ordinances 527 through 532 are regulations for storm water retention. They are on the agenda for Second and Final Hearing.

Mayor Casey introduced Ordinances 527, seconded by Councilman Woodend.

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 ORINANCE 527 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 527 is approved

Mayor Casey introduced Ordinances 528, seconded by Councilman Woodend.

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 ORINANCE 528 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 528 is approved

Mayor Casey introduced Ordinances 529, seconded by Councilman Woodend.

ORDINANCE 529

AN ORDINANCE TO PROHIBIT THE FEEDING OF ONCONFINED 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 ORINANCE 529 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 529 is approved

Councilman Woodend made a motion, seconded by Councilman Weiss to amend Ordinance 530.

VOTE TO AMEND ORDINANCE 530

Ayes: Casey, Weiss, Woodend

Nays: None

Amendments are approved

Mayor Casey introduced Ordinances 530, as amended, seconded by Councilman Woodend.

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 will be taken.
- e. No brush from the clearing of land for residential pools, expansions of the principle use (which increases the impervious cover of the lot) or for other accessory uses will be taken.
- f. 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 ORINANCE 530 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 530 is approved

Mayor Casey introduced Ordinances 531, seconded by Councilman Woodend.

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 ORINANCE 531 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 531 is approved

Mayor Casey introduced Ordinances 532, seconded by Councilman Woodend.

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 ORINANCE 532 ON SECOND AND FINAL READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 532 is approved

Residents had several questions concerning enforcement and notification to the public concerning the new regulations.

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

ORDINANCE 533

AN ORDINANCE TO ESTABLISH MINIMUM 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 ON FIRST READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 533 is approved

Mayor Casey made a motion, seconded by Councilman Woodend, to remove Ordinance 534 from the table.

VOTE TO REMOVE ORDINANCE FROM TABLE

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 534 removed from table

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

ORDINANCE 534

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

BE IT ORDAINED, by the Borough Council of the Borough of Medford Lakes, in the County of Burlington, and State of New Jersey, as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby authorized as general improvements to be made by the Borough of Medford Lakes, New Jersey. For the said improvements or purposes stated in Section 2, there is hereby appropriated the sum of \$8,405.00, which is now available in the Capital Reserve for Public Works Equipment of the Borough of Medford Lakes.

SECTION 2. (a) The Improvement hereby authorized is for the acquisition of equipment for use by the Borough of Medford Lakes Public Works Department to assist in compliance with all Stormwater Management Plan directives.

(b) The estimated cost of said acquisition is Twenty Five Thousand and 00/100 (\$25,000) for the improvements described in Sections 2 (a & c), of which the sum in the amount of \$8,405.00 is hereby appropriated from the Reserve for Public Works Equipment Fund.

(c) The improvement is to an existing Public Works Vehicle needing modification and is to be utilized in meeting the Stormwater Management objectives.

SECTION 3. The following matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 2 of this Ordinance is not a current expense, and is property or improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose, within the limitations of said Local Bond Law, and according to the reasonable life thereof, is five (5) years for Section 2 above.

SECTION 4. The 2007 General Capital Budget of the Borough of Medford Lakes is hereby amended to conform to the provisions of this Ordinance to the extent of any inconsistency herewith.

SECTION 5. This ordinance shall take effect after publication and final passage, according to law.

VOTE TO APPROVE ORDINANCE 534 ON FIRST READING

Ayes: Casey, Weiss, Woodend

Nays: None

Ordinance 534 is approved on First Reading

RESOLUTIONS

Mayor Casey introduced Resolution 70-07, seconded by Councilman Woodend.

RESOLUTION 70-07

A RESOLUTION AUTHORIZING A TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey hereby endorses the submission of the 2006 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Richard J. Knight, Borough Manager, 1 Cabin Circle Drive, Medford Lakes, New Jersey, to ensure that the said Application is properly filed.

VOTE TO APPROVE RESOLUTION 70-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 70-07 is approved

Councilman Woodend introduced Resolution 71-07, seconded by Councilman Casey.

RESOLUTION 71-07

A RESOLUTION AMENDING RESOLUTION NUMBER 52-07, A RESOLUTION AUTHORIZING THE TRANSFER OF AN OBSOLETE FIRE DEPARTMENT PASSENGER VEHICLE TO THE MEDFORD FARMS FIRE COMPANY

WHEREAS, the Borough of Medford Lakes no longer is in need of a certain obsolete 1995, Vin # 1G1BL52PX5R188024; and

WHEREAS, under N.J.S.A. 40A: 11-36(2), the Borough of Medford Lakes may sell or transfer personal property not needed for public use to the United States, State of New Jersey, or another contracting unit, or to any body politic to which it contributes tax raised funds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that it be and hereby is authorized to transfer for \$1.00 an obsolete fire department passenger vehicle, identified as VIN# 1G1BL52PX5R188024, to the MEDFORD FARMS FIRE COMPANY, a non-profit corporation of the State of New Jersey.

VOTE TO APPROVE RESOLUTION 71-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 71-07 is approved

Councilman Woodend introduced Resolution 72-07, seconded by Councilman Casey.

RESOLUTION 72-07

A RESOLUTION SUPPORTING THE NATIONWIDE "BLUE RIBBON CAMPAIGN" AND NATIONAL POLICE WEEK MAY 14 TO MAY 20, 2007

WHEREAS, the Congress and the President of the United States has designated the week of May 14th to May 20th, 2007 as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Borough of Medford Lakes play an essential role in safeguarding the rights and freedoms of the Borough of Medford Lakes; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of law enforcement in the Borough of Medford Lakes unceasingly provide a vital public service;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, that all citizens of the Borough to observe the week of May 14-20, 2007 as Police Week to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

VOTE TO APPROVE RESOLUTION 72-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 72-07 is approved

Councilman Woodend introduced Resolution 73-07, seconded by Councilman Casey.

RESOLUTION 73-04

A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF MEDFORD LAKES PROCLAIMING MAY 21 – 26, 2007 NATIONAL EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, emergency medical services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of the emergency medical system and programs such as community CPR training; and

WHEREAS, the health, safety and comfort of this community greatly depends on these services; and

WHEREAS, the quality and effectiveness of the emergency medical services provided, is vitally dependent upon the efforts and skill of emergency medical professionals; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff emergency medical organizations is materially influenced by the people's attitude and understanding of the importance of the work they perform;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Medford Lakes, County of Burlington, and State of New Jersey, that we proclaim the week of May 21-26, 2007 "*NATIONAL EMERGENCY MEDICAL SERVICES WEEK*", and we call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our emergency medical services and to recognize the contributions which these professionals make every day to our health, safety, comfort and quality of life.

VOTE TO APPROVE RESOLUTION 73-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 73-07 is approved

Mayor Casey introduced Resolution 74-07, for discussion, seconded by Councilman Woodend.

RESOLUTION 74-07

A RESOLUTION RATIFYING THE VOTE OF THE SCHOOL BOARD REPRESENTATIVE AND THE RESIDENTS OF MEDOFRD LAKES THERBY CERTIFYING THE 2007-2008 LENAPE REGIONAL HIGH SCHOOL DISTRICT TAX LEVY

WHEREAS, the representative to the Lenape Regional High School District voted in favor of the 2007 budget, and recommends that Borough Council certify the tax levy as presented; and

WHEREAS, the majority of voters in Medford Lakes approved the amounts proposed in the 2007 budget for the Lenape Regional High School District; and

WHEREAS, the budget, as approved, is sufficient to provide a thorough and efficient education to the children of Lenape Regional High School District;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes that the Borough hereby certifies the tax levy of \$89,443,311 for the Lenape Regional High School District for the 2007-2008 school year.

Councilman Weiss attended a meeting of the Lenape Regional School District Board concerning the defeated budget. Council discussed at length whether or not to approve the failed budget. Medford Lakes' representative to the Lenape Board explained in detail the budget process.

Council voted approval of the resolution based on the *Doctrine of Necessity*.

Councilman Woodend made a motion, seconded by Mayor Casey, to ratify the vote of the Medford Lakes representative to the Lenape Board and the public vote, and certify the vote.

VOTE TO APPROVE RESOLUTION 74-07

Ayes: Casey, Woodend

Nays: Weiss

Resolution 74-07 is approved

OLD BUSINESS

OAKS HALL – the request for bids for the windows has been advertised.

Manager Knight offered four stained samples for Council's choice. Members agreed on stain #085T; all logs will require two coats to start. Following discussion, Council agreed to seek the Historic Commissions input and Mr. Ragan's opinion. A second coat of stain will be applied to the samples for further discussion.

Council plans to meet with Mr. Ragan, at his request, on Saturday, May 12, 2007, at 7:30am, to discuss the building's progress. Manager Knight will advise Council if Mr. Ragan is available at this time. The Borough will advertise an informal site visit by Council members and Mr. Ragan.

A workshop is planned for 6:30pm prior to the next Regular Council Meeting on May 24, 2007.

DAMS – Manager Knight advised of a problem with the trucks delivering concrete to the sites. He feels the truck travel puts school children at risk during times they are traveling to and from school. Fire Chief Mark McIntosh will discuss with DPW Superintendent McCorrison the possibility of filling a 3” fire hose with sand to be put at the intersection of Aetna Way and Trading Post Trail in an attempt to force the trucks to stop.

NEW BUSINESS

COURT ADMINISTRATOR – Manager Knight asked Council to appoint Jodie Terney, effective May 23, 2007. She is a deputy clerk in Woodland Township. She will work 18 hours per week and will not receive benefits.

Councilman Woodend made a motion, seconded by Mayor Casey, to endorse Mr. Knight's recommendation.

RESOLUTION 75-07

A RESOLUTION APPOINTING A COURT ADMINISTRATOR

WHEREAS, the Borough of Medford Lakes is in need of a Court Administrator; and

WHEREAS, the Borough Manager and Municipal Judge have interviewed candidates for this position;
and

WHEREAS, the Borough Manager and Municipal Judge recommend appointment of Jodie Terney to the position of Court Administrator;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council appoint Jodie Terney as Court Administrator.

VOTE TO APPROVE RESOLUTION 75-07

Ayes: Casey, Weiss, Woodend

Nays: None

Resolution 75-07 is approved

2006 AUDIT – Borough Accountant Bob Stewart has completed the required audit; and reports a very good finding. Council now has to review the audit and acknowledge receipt of it by Resolution.

REPORTS

MANAGER – Mr. Knight reported Shamong and Tabernacle were sprayed this date. Medford and parts of Medford Lakes are scheduled for spraying Friday, May 11, 2007, weather permitting. The State will notify the Borough 12 hours before treatment begins.

PUBLIC SAFETY – nothing else to add to items previously discussed.

ADMINISTRATION – nothing else to add to items previously discussed.

PUBLIC WORKS – nothing else to add to items previously discussed.

PAYMENT OF BILLS

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

VOTE TO APPROVE PAYMENT OF BILLS

Ayes: Casey, Weiss, Woodend

Nays: None

Bills are approved for payment

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Casey made a motion, seconded by Councilman Weiss, to adjourn to Executive Session.

RESOLUTION 76-07

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:

the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session is Madden litigation, Sapi Lake litigation, and Easi property litigation; and

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

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

Resolution 53 -07 is approved

RETURN TO REGULAR COUNCIL MEETING

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

VOTE TO ADJOURN

Ayes: Casey, Weiss, Woodend

Nays: None

Meeting adjourned

Respectfully submitted,

Richard Knight
Borough Manager

