

March 2, 2009

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 2, 2009 called by the Mayor, Lawrence E. Pennock, in the Community Hall at 7:00 PM with the salute to the flag was included in a list of meetings notice sent to the Retrospect and the Courier Post on January 8, 2009, and advertised in the Retrospect on January 16, 2009 and in the Courier Post on January 10, 2009, posted on the bulletin board in the Municipal Building on January 7, 2009 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Roll Call: Councilman Beeman, Councilman Fisher, Councilwoman Jones, Councilwoman Lewis, and Councilman Passon were all present. Councilwoman Hook (excused) was absent. Solicitor Platt was present.

Motion made by Councilman Passon to approve the minutes from the February 2, 2009 Regular Meeting. Seconded by Councilwoman Lewis. All ayes.

Motion made by Councilman Passon to approve the minutes from the Working Session held on February 16, 2009. Seconded by Councilwoman Jones. All ayes.

Motion made by Councilman Passon to approve the vouchers provided the proper affidavits are attached. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Fisher-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Prior to opening to the public, Solicitor Platt informed the audience they would each have 3 minutes to make a statement so that each member of the audience had an opportunity to speak.

OPEN TO THE PUBLIC AT 7:02 PM:

Brian Cranmer – introduced himself as the President of FOP Lodge #76. Asked what the intentions were of Mayor and Council pertaining to the Borough of Audubon.
Anthony Lepone – asked if we were going to respond to the proposal issued by Audubon.

Stephen Banchi – discussed registering for the Atlantic City Convention (\$75.00). Discussed I.D. cards for Emergency Management, \$15.00 per card and \$75.00 set up fee. March 18, 2009 at 7:30 PM County OEM Meeting at MPB.

CLOSED TO THE PUBLIC AT 7:10 PM

REPORTS:

Councilwoman Lewis – Website has been updated and a new section for senior citizens has been added.

Councilwoman Jones – discussed pamphlet from Surrogate's Office. Surrogate's Office will do Wills for senior citizens free of charge.

Councilman Beeman – wants to ask Remington and Vernick about solar energy.

Councilman Fisher – No report.

Councilman Passon – asked the mayor which buildings he was interested in having solar energy. There is quite a bit of information on the internet about this topic. Mr. Passon stated he needs the cost of electric power for each of those buildings.

Mayor Larry Pennock – stated that he attended the General Membership meeting of Audubon Mutual Housing Corporation, spoke with Frank Seney of Remington and Vernick regarding solar power, attended the school board meeting on February 23, 2009, and also discussed Camden County Improvement Authority regarding the senior building.

COMMUNICATIONS:

AHS Project Graduation 2009 – requesting donations to help offset the costs of graduation. Solicitor Platt stated that it is not permissible for Governing Bodies to make donations.

OLD BUSINESS:

MPB Liability Insurance – will be placed on Agenda for 3/16/09.

NEW BUSINESS:

Motion made by Councilwoman Lewis to register for the 11th annual conference of the New Jersey Emergency Preparedness Association in Atlantic City the week of May 4th through May 8th, 2009 at \$75.00 each for Stephen Banchi, Emergency Management Coordinator and Debra Garbrecht, Deputy Emergency Management Coordinator. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Fisher-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

**RESOLUTION AUTHORIZING THE BOROUGH OF AUDUBON PARK TO
ENTER INTO AND EXECUTE A SHARED SERVICES AGREEMENT WITH
THE COUNTY OF CAMDEN TO RECEIVE A 2007 COUNTY RECYCLING
TONNAGE REBATE 2009:15**

WHEREAS, by Resolution adopted February 19, 2004 by the Camden County Board of Freeholders authorized an agreement with the Pollution Control Financing Authority for the creation, maintenance and administration of a fund for recycling tonnage rebates for Camden County Municipalities that dispose of waste at the Authority's facilities; and

WHEREAS, pursuant to that agreement, a Recycling Tonnage Rebate fund for Camden County Municipalities was created and is funded by the receipt of \$1.00 per ton of municipal solid waste disposed at the facilities of the Pollution Control Financing Authority of Camden County; and

WHEREAS, the rebates are available to municipalities who successfully maintain a recycling program and such municipalities are eligible to receive money from the fund based upon the amount of recyclables recycled for the given year; and

WHEREAS, the County, by and through its Director of the Division of Environmental Affairs, Jack Sworaski, has advised that the 2007 County Recycling Tonnage Rebate in the amount of \$960.68 is available to the Borough of Audubon Park, having met all the requirements;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Audubon Park, that the attached Shared Services Agreement by and between the County of Camden and the Borough of Audubon Park, is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor of Audubon Park, Lawrence E. Pennock, is hereby authorized to execute the aforesaid Agreement on behalf of the Borough.

Motion made by Councilman Passon to adopt Resolution 2009:15 Authorizing the Borough of Audubon Park to enter into and Execute a Shared Services Agreement with the County of Camden to Receive a 2007 County Recycling Tonnage Rebate. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Fisher-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

TONNAGE GRANT APPLICATION RESOLUTION 2009:16

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

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

WHEREAS, the New Jersey Department of Environmental Protection has promulgated 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 the 2008 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and 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 the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Audubon Park that Audubon Park hereby endorses the submission of the recycling tonnage grant application of the New Jersey Department of Environmental Protection and designates Dawn M. Pennock to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motion made by Councilwoman Lewis to adopt Resolution 2009:16 Tonnage Grant Application. Seconded by Councilman Fisher. Roll call vote: Councilman Beeman-yes, Councilman Fisher-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Resolution 2009:17 regarding the Audit has been tabled until March 16, 2009.

Motion made by Councilman Passon to re-advertise the March 16, 2009 Working Session as a Regular Meeting so that the Budget can be introduced and any other action deemed necessary by Council may be taken. Seconded by Councilman Beeman. All ayes.

RESOLUTION PROVIDING FOR MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12 2009:18

WHEREAS, the Governing Body is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Governing Body to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12B and designated below:

**MATTERS RELATING TO PUBLIC SAFETY AND PROPERTY
AND NEGOTIATIONS**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Audubon Park, assembled in public session on March 2, 2009 that an Executive Session closed to the public shall be held on March 2, 2009 in the Municipal Building, 20 Road C, Audubon Park, New Jersey, for the discussion of matters relating to public safety and property. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Governing Body that the public interest will no longer be served by such confidentiality.

Motion made by Councilman Beeman to adopt Resolution 2009:18 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 for matters relating to public safety and property and negotiations. Seconded by Councilwoman Jones. All ayes.

Meeting Closed to the Public at 7:25 PM.

Motion made by Councilman Passon to return to the regular order of business at 7:54 PM. Seconded by Councilwoman Lewis. All ayes.

Solicitor Platt read the letter of intent not to renew the current police contract and the possibility of entering into a different contract for police services that will be sent to the Commissioners of the Borough of Audubon to meet the March 11, 2009 deadline according to the Shared Services Agreement for Police Protection between the Borough of Audubon and the Borough of Audubon Park.

Motion made by Councilman Passon to approve the letter of intent not to renew the current police contract to be sent to the Borough of Audubon. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Fisher-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

OPEN TO THE PUBLIC AT 7:55 PM:

Brian Cranmer – President of FOP Lodge #76 – asked “What is Plan B for Mayor and Council of Audubon Park if they do not resign with the Borough of Audubon for Police Services?”

CLOSED TO THE PUBLIC AT 7:56 PM

Motion made by Councilwoman Lewis to adjourn the meeting at 7:56 PM. Seconded by Councilman Beeman. All ayes.

DAWN M. PENNOCK, RMC
MUNICIPAL CLERK