

August 3, 2009

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of August 3, 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 Delengowski, Councilwoman Jones (arrived at 7:03 PM), Councilwoman Lewis, and Councilman Passon were present. Councilwoman Hook was absent (not excused).

Motion made by Councilman Passon to approve the minutes from the closed meeting on December 2, 2008, closed meeting from January 6, 2009, closed meeting from February 2, 2009, regular meeting from June 1, 2009, and special meeting from June 19, 2009. Seconded by Councilman Beeman. 3-eyes. Councilman Delengowski abstained.

Motion made by Councilman Passon to approve the vouchers for July 6, 2009 and August 3, 2009, provided the proper affidavits are attached. Seconded by Councilman Delengowski. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

REPORTS:

Councilwoman Lewis – stated that the MPB rentals have been low but they are starting to pick-up and Arlene Starr, one of the MPB Janitors was going to resign at the end of August 2009.

Councilman Beeman-stated he had nothing to report at this time.

Councilman Delengowski-stated he obtained a bid from Scalfio Electric, Inc. for the Transfer Switch Replacement at the Audubon Park Fire Company.

Councilman Passon-stated that Remington and Vernick continues to work on solar energy for the MPB, Fire House, and the Audubon Park School.

Councilwoman Jones-states she had nothing to report at this time.

OLD BUSINESS:

Mayor briefly discussed the rent/utilities at Tippie Toes Day Care.

NEW BUSINESS:

Fire Co. sent a letter requesting 4 reserved parking spaces.

The Borough received a resignation letter of EMC Stephen Banchi.

Mr. Randall Moses of 13 Dove Terrace requested a no outlet sign for the parking area behind his court due to a high volume of vehicles.

Motion made by Councilman Passon to purchase a No Outlet sign for the area behind Dove Terrace. Seconded by Councilwoman Jones. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Motion made by Councilman Beeman to offer the Emergency Management Coordinator's position to Rudy Young. Seconded by Councilwoman Lewis. All ayes.

Motion made by Councilwoman Lewis to buy an air conditioner and have it installed for \$200.00 for the Chief's Office. Seconded by Councilman Passon. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Motion made by Councilman Passon for the Mayor to switch the closet office to the School Board Office. Seconded by Councilman Beeman. All ayes.

Motion made by Councilman Delengowski to have the Chief's Office painted for \$360.00. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Motion made by Councilman Passon to replace the windows in the Police room for \$1,370.00. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Motion made by Councilman Passon to approve the bid for \$3,350.00 to have the transfer switch replaced on the generator at the Audubon Park Fire Company. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

ORDINANCES:

SECOND READING OF ORDINANCE 2009-07, REPEALING AMENDMENT TO

PARKING ORDINANCE PERTAINING TO PARKING SPACE FOR BOROUGH CLERK.

ORDINANCE NO. 2009-07

BOROUGH OF AUDUBON PARK, NEW JERSEY

ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REPEALING “AMENDMENT TO PARKING ORDINANCE” PERTAINING TO PARKING SPACE FOR BOROUGH CLERK

WHEREAS, the Borough of Audubon Park (“Borough”) introduced a certain “Amendment to Parking Ordinance” on June 7, 1999, which was subsequently adopted on August 8, 1999, designating the first parking space north of the police only parking spaces in front of the Community Hall as the parking space for any employee with 35 years or more of service and who holds the title “Borough Clerk” while such individual is employed by the Borough, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Mayor and Borough Council of the Borough of Audubon Park have determined that it is in the best interest of the public health, safety and welfare to repeal the aforesaid “Amendment to Parking Ordinance”;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

SECTION I. The “Amendment to Parking Ordinance” attached hereto as Exhibit “A” is hereby repealed.

SECTION II. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION IV. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

OPEN TO THE PUBLIC AT 7:33 PM: No comments.

CLOSED TO THE PUBLIC AT 7:33 PM.

Motion made by Councilman Delengowski to adopt Ordinance 2009-07. Seconded by Councilwoman Lewis. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

ORDINANCE NO. 2009-08

BOROUGH OF AUDUBON PARK, NEW JERSEY

ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, DESIGNATING HANDICAPPED PARKING SPACES IN THE BOROUGH OF AUDUBON PARK

WHEREAS, the Borough of Audubon Park adopted Ordinance No. 48 designating certain handicapped parking spaces within the Borough, which was amended on June 2, 1997, August 2, 1999 and again on April 1, 2008; and

WHEREAS, the Mayor and Borough Council of the Borough of Audubon Park have deemed it in the best interest of the public health, safety and welfare to amend, revise, and supplement Ordinance No. 48.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, as follows:

SECTION I. Pursuant to the provisions of N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197, the following locations are designated for handicapped parking. Such spaces are for use by persons who have been issued special identification cards, plates or placards by the New Jersey Motor Vehicle Commission or temporary placards issued by the Chief of Police. No other person shall be permitted to park in these spaces.

<u>Street</u>	<u>Location</u>
Sandpiper Place	On Road C
Whippoorwill Way	In circle
Tanager Terrace	Off Nicholson Road
Cardinal Court	On Road A
Dove Terrace	Off Creek Road

School Lane	End of Lark Lane
Redwing Place	On Road C
Turtledove Court	On Road C
Mockingbird Lane	On Road A

SECTION II. Pursuant to the provisions of N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197, the following are designated as fifteen (15) minute “Pick up and Drop off” locations for handicapped individuals only:

Cardinal Court, Dove Terrace, Flamingo Place, Kingfisher Place, Lark Lane, Mockingbird Lane, Raven Place, Redwing Place, Robin Terrace, Sandpiper Place, Tanager Terrace, Turtledove Court, and Waxwing Court.

SECTION III. Any person violating any section of this Ordinance shall be liable to a fine of \$250.00 for the first offense and, for subsequent offenses, a fine of at least \$250.00 and up to ninety (90) days’ community service on such terms and in such form as the court shall deem appropriate, or any combination thereof.

SECTION IV. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION VI. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion made by Councilman Passon to introduce Ordinance 2009-08, Designating Handicapped Parking Spaces in the Borough of Audubon Park. Seconded by Councilwoman Lewis. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

RESOLUTIONS:

**RESOLUTON FOR RENEWABLE ENERGY GRANT PROGRAM
2009:34**

WHEREAS, the New Jersey Board of Public Utilities administers a Renewable

Energy Grant Program for Solar Photovoltaic systems, and

WHEREAS, the Borough of Audubon Park is submitting the required Grant Application for the review and grant funding approval of the New Jersey Board of Public Utilities, and,

WHEREAS, the New Jersey Board of Public Utilities has asked those public entities submitting grant applications to affirm their intentions to procure, within 180 days of the notification of grant award, and install, within one year of same, the associated solar photovoltaic system,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Audubon Park affirms its intention to procure and install the grant-funded projects within the timeframes required of the grant awards.

**RESOLUTION FOR EMERGENCY APPROPRIATIONS
2009:35**

WHEREAS, an emergency has arisen with respect to solar energy and, no adequate provision was made in the 2009 budget for the aforesaid purpose; and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$6,000.00 and three (3) percent of the total operating appropriations in the budget for 2009 \$23,054.09, and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2009,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for solar energy in the amount of \$6,000.00
2. That said emergency appropriation shall be provided for in full in the 2010 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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.

**RESOLUTION BETWEEN THE BOROUGH OF AUDUBON PARK AND THE
COUNTY OF CAMDEN FOR USE OF AN ARMORED VEHICLE
2009:36**

WHEREAS, it is the intent of the County of Camden (Department of Public Safety's Office of Emergency Management) in cooperation with the Camden County Police Chief's Association, to procure by public bid an armored vehicle through Homeland Security Funding and critical incidents warranting such use; and

WHEREAS, the Borough of Audubon Park wishes to ensure the safety and welfare of its residents by having an armored vehicle available when necessary; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. ("Uniform Shared Services and Consolidation Act") permits two local units to enter into a contract for service which any party to the Agreement is empowered to render within its jurisdiction; and

WHEREAS, the County and Borough of Audubon Park agree that their mutual public purposes and best interests will be promoted by execution and delivery of this Agreement pursuant to the powers conferred by the Uniform Shared Services and Consolidation Act;

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.

**BOROUGH OF AUDUBON PARK
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

**RESOLUTION AUTHORIZING THE BOROUGH OF AUDUBON PARK TO
PROVIDE FOR THE BUSING OF PUBLIC SCHOOL STUDENTS FOR THE
2009-10 SCHOOL YEAR 2009:37**

WHEREAS, on June 30, 2009, Governor Corzine signed into law A-4141, which provides for the elimination of non-operating school districts in the State of New Jersey; and

WHEREAS, the Audubon Park School District is "non-operating school district"

as that term is defined in A-4141; and

WHEREAS, Lucille E. Davy, Commissioner of the Department of Education, has approved the plan submitted by the Camden County Executive County Superintendent for the merger of the Audubon Park School District with the Audubon Borough School District, effective July 1, 2009; and

WHEREAS, due to the elimination of the Audubon Park School District, there is a need for the Borough of Audubon Park to provide for the transportation of its public school students to the Audubon Borough School District;

WHEREAS, A-4141 provides for the payment to the municipal governing body of the municipality in which the former non-operating school district is located any cash balances, including remaining reserve balances, upon the completion of the liquidation of the assets the non-operating district; and

WHEREAS, prior to the enactment of A-4141 the sum of \$33,896.00 had already been appropriated for student transportation services in the Audubon Park School District's 2009-2010 budget;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Audubon Park, that the Borough of Audubon Park shall provide for the transportation of its public school students to the Audubon Borough School District for the 2009-2010 school year.

Motion made by Council Passon to adopt Resolution 2009:34, Resolution 2009:35, Resolution 2009:36, and Resolution 2009:37. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, Councilman Passon-yes.

Motion made by Councilwoman Lewis to re-advertise the August 17, 2009 working session as a regular meeting. Seconded by Councilman Beeman. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

Motion made by Councilman Beeman to offer the Borough of Audubon the opportunity to keep all ticket money collecting after September 1, 2009 that originating from the Borough of Audubon Park's Municipal Court provided they turnover all necessary paperwork within 45 days. Seconded by Councilwoman Lewis. Roll call vote: Councilman Beeman-yes, Councilman Delengowski-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

OPEN TO THE PUBLIC AT 7:55 PM: No public present.

CLOSED TO THE PUBLIC AT 7:55 PM.

Motion made by Councilman Beeman to adjourn the meeting at 7:55 PM. Seconded by Councilwoman Lewis. All ayes.

DAWN M. PENNOCK, RMC
MUNICIPAL CLERK