

December 7, 2009

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of December 7, 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.

Mayor Pennock requested that everyone remain standing for a moment of silence for Dorathea Zeoli, longtime Librarian of Audubon Park.

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

Motion made by Councilman Passon to approve the minutes of the Regular Meeting of November 2, 2009. Seconded by Councilman Delengowski. All ayes.

Motion made by Councilman Passon to approve the minutes of the Working Session of November 16, 2009. Seconded by Councilwoman Lewis. All ayes.

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

### **REPORTS:**

Frank Seney-Remington & Vernick-informed Mayor and Council of the bids received for the asbestos in the boiler room at the Neighborhood Facility. The lowest bid was received from Savic Construction Corp. of Totowa, NJ for \$10,650.00

Denise Gray-DeFrates-Audubon Park representative to Audubon Board of Education. She stated the next school board meeting is December 16, 2009 and the Audubon Park school busing issue will be discussed.

Councilwoman Lewis-No report.

Councilman Delengowski-reported that the Audubon Park Volunteer Fire Co. had a meeting on Friday, December 4, 2009. The ceremonial bonfire has been changed to January 15, 2010. Still waiting to set up a time for the Generator to be fully tested.

Councilwoman Hook-No report at this time.

Councilman Passon-waiting on a report from Remington & Vernick regarding solar energy.

Mayor Larry Pennock-reported the following: Working Session on December 21, 2009 will be re-advertised as a Regular Meeting, ceremonial bonfire has been rescheduled to January 15, 2009, and the school board records will be closed out by December 21, 2009.

**OLD BUSINESS:**

Mayor Pennock reported that Denise-Gray DeFrates has filled the Audubon Park position on the Audubon Board of Education.

**NEW BUSINESS:**

Motion made by Councilman Delengowski to close the Borough Offices from Noon on December 23, 2009 through the holidays and reopen on Monday, January 4, 2010. Seconded by Councilwoman Lewis. All ayes.

**ORDINANCES:**

**ORDINANCE NO. 2009-09 AN ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY PROHIBITING THE PARKING OF INOPERABLE OR ABANDONED VEHICLES ON PRIVATE PROPERTY.**

OPEN TO THE PUBLIC AT 7:30 PM: No comments.

CLOSED TO THE PUBLIC AT 7:30 PM.

Motion made by Councilman Delengowski to adopt Ordinance No. 2009-09. Seconded by Councilwoman Lewis. Roll call vote: Councilman Delengowski-yes, Councilwoman Hook-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

**RESOLUTIONS:**

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$120,000.00 OF BOND ANTICIPATION NOTES OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN, STATE OF NEW JERSEY 2009:42**

**WHEREAS**, the Borough of Audubon Park (“Borough”) duly adopted a Resolution authorizing the issuance of a Bond Anticipation Note 2008, Series A in the

denomination of \$154,000.00 dated November 14, 2008 at the rate of 3.91% per annum payable at maturity on November 13, 2009 in connection with Bond Ordinance No. 2000-5 for the repair of the school roof, Bond Ordinance 2001-4 for the acquisition of a fire truck, and Bond Ordinance 2003-3 for the purchase of firehouse doors and reconstruction of Road "C"; and

**WHEREAS**, the Mayor and Borough Council have determined to pay down the aforesaid Bond Anticipation Note 2008, Series A in the amount of \$34,000.00 and issue a new Bond Anticipation Note in the principal amount of \$120,000.00, bearing interest at the rate of 3.91% per annum which is to mature on November 12, 2010;

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

**SECTION 1.** All notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the local unit, provided that no note shall mature later than (i) one year from the date of the first such note issued pursuant to the respective bond ordinances of the Borough referenced above, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes, but in no event shall any of such notes mature later than the tenth anniversary of the date of the original notes.

**SECTION 2.** All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer of the Borough.

**SECTION 3.** The notes shall be in the form prescribed by resolution heretofore

adopted by the Governing Body of the Borough determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the Borough in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

**SECTION 4.** The Chief Financial Officer of the Borough is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon said notes shall be conclusive as to such determinations.

**SECTION 5.** The Chief Financial Officer of the Borough is hereby authorized to sell said Bond Anticipation Note from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore; and

**SECTION 6.** Any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected; and

**SECTION 7.** The Chief Financial Officer of the Borough is authorized and directed to report in writing to the Governing Body at the meeting next succeeding the

date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. The Chief Financial Officer of the Borough is hereby further authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

**BE IT FURTHER RESOLVED**, by the Mayor and Borough Council that it hereby approves, ratifies and confirms the issuance of the Bond Anticipation Note of 2009, Series A, as stated above; and

**BE IT FURTHER RESOLVED**, that the Mayor of the Borough of Audubon Park is authorized to implement this resolution and execute any documents necessary in connection therewith.

Motion made by Councilwoman Lewis to adopt Resolution 2009:42. Seconded by Councilman Delengowski. Roll call vote: Councilman Delengowski-yes, Councilwoman Hook-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

**RESOLUTION AWARDING CONTRACT FOR NEIGHBORHOOD  
FACILITY 2009:43**

**BE IT RESOLVED** that the Mayor and Borough Council of Audubon Park hereby recommends to Community Development Block Grant Years 29, 30 and 31 Funding that the contract for the Neighborhood Facility Improvements in the Borough of Audubon Park, County of Camden be awarded to Savic Construction Corp. whose bid amounted to \$10,650.00;

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said improvements.

Approved by the Mayor and Council of the Borough of Audubon Park on December 7, 2009.

Motion made by Councilman Passon to adopt Resolution 2009:43. Seconded by Councilwoman Lewis. Roll call vote: Councilman Delengowski-yes, Councilwoman Hook-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

**RESOLUTION 2009:44**

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Audubon Park that the following transfers be made to the 2009 budget in accordance with N.J.S. 40A:4-58:

	<u>FROM</u>	<u>TO</u>
Emergency Mgt. S & W	\$506.00	
Street Lighting	\$246.00	
A & E S & W	\$800.00	
Legal OE	\$800.00	
Group Insurance	\$2,000.00	
EMC OE	\$691.00	
Public Bldgs. OE	\$1,300.00	
Library OE	\$1,000.00	
Telephone	\$700.00	
Interlocal – Trash Removal		\$ 752.00
A & E OE		\$1,400.00
Mayor & Council OE		\$ 260.00
Dog Regulation		\$1,250.00
Celebration of Public Events		\$ 102.00
Library S & W		\$1,560.00
Maint. of Equipment		\$1,400.00

PERS		\$ 5.00
Social Security		\$1,310.00
Police		\$ 4.00
	\$8,043.00	\$8,043.00

Motion made by Councilman Passon to adopt Resolution 2009:44. Seconded by Councilwoman Lewis. Roll call vote: Councilman Delengowski-yes, Councilwoman Hook-yes, Councilwoman Lewis-yes, and Councilman Passon-yes.

OPEN TO THE PUBLIC AT 7:40 PM: No comments.

CLOSED TO THE PUBLIC AT 7:40 PM.

Motion made by Councilman Delengowski to adjourn the meeting at 7:40 PM. Seconded by Councilwoman Hook-yes. All ayes.

---

DAWN M. PENNOCK, RMC  
MUNICIPAL CLERK