

November 21, 2011

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of November 21, 2011 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 4, 2010, and advertised in the Retrospect on January 7, 2011 and in the Courier Post on January 6, 2010, posted on the bulletin board in the Municipal Building on January 5, 2010 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 Delengowski, Councilwoman Jones, and Councilman Passon were present. Councilman Beeman, Councilwoman Hook, and Councilwoman Lewis were absent (excused).

ORDINANCES:

ORDINANCE NO. 2011-07

BOROUGH OF AUDUBON PARK, NEW JERSEY

AMENDED

**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, April 1, 2008, September 7, 2009, and on June 7, 2010; 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
Flamingo Place	On Road A
Flamingo Place	Alley Behind Court
Kingfisher Place	On Road A
Lark Lane	On Road A
Raven Place	On Road B
Robin Terrace	On Road C
Waxwing Court	On Road C

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 2011-07 BY TITLE ONLY, AMENDED 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. SECONDED BY COUNCILMAN DELENGOWSKI. Public hearing is scheduled for Monday, December 19, 2011 at 7 PM. Roll call vote: Councilman Delengowski-yes, Councilwoman Jones-yes, Councilman Passon-yes, and Mayor Larry Pennock-yes.

RESOLUTIONS:

RESOLUTION #2011-75 BOROUGH OF AUDUBON PARK, CAMDEN COUNTY, NEW JERSEY MULTI- JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the Borough of Audubon Park is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan (hereinafter "the Plan") has been developed through the work of the Southern Delaware Valley Region Steering Committee, the Camden County Hazard Mitigation Planning Committee, the Borough of Audubon Park Hazard Mitigation Working Group, and interested parties within the jurisdiction; and

WHEREAS, the Plan recommends hazard mitigation actions that will protect people and property affected by natural hazards that face the Borough of Audubon Park, that will reduce future public, private, community and personal costs of disaster responses and recovery; and that will reinforce the Borough of Audubon Park's leadership in emergency preparedness efforts; and

WHEREAS, the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough

of Audubon Park to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities; and

WHEREAS, public meetings were held to receive comment on the Plan as required by DMA 2000;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Audubon Park that:

1. The Plan is hereby adopted as an official plan of the Borough of Audubon Park.
2. The Borough of Audubon Park officials identified in the Mitigation Action Plan (Section 9) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Borough of Audubon Park Hazardous Mitigation Working Group, and the Borough of Audubon Park Office of Emergency Management.
3. The Borough of Audubon Park Hazard Mitigation Working Group will provide annual progress reports on the status of implementation of the Plan to the Mayor and Borough Council. This report shall be submitted to the Mayor and Borough Council by October 31, 2011.
4. The Borough of Audubon Park Hazard Mitigation Working Group will undertake periodic updates of the Plan as indicated in the Plan Maintenance Program (Section 10) but no less frequent than every five years.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Audubon Park, that the Borough of Audubon Park adopts the Camden County, New Jersey Multi-Jurisdictional Hazard Mitigation Plan, as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 21st day of November, 2011 at a meeting of the Mayor and Borough Council of the Borough of Audubon Park.

Motion made by Councilman Delengowski to adopt Resolution 2011:75, New Jersey Multi-Jurisdictional Hazard Mitigation Plan. Seconded by Councilman Passon. Roll call vote: Councilman Delengowski-yes, Councilwoman Jones-yes, Councilman Passon-yes, and Mayor Larry Pennock-yes.

RESOLUTION #2011-76
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND
BETWEEN THE BOROUGH OF AUDUBON PARK AND THE COUNTY OF
CAMDEN FOR THE PROVISION OF MARKETING SERVICES FOR
RECYCLABLES

WHEREAS, the County of Camden, (hereinafter "COUNTY"), has entered into an Agreement with FCR Camden, LLC. d/b/a ReCommunity Recycling (hereinafter "OPERATOR") of Charlotte, North Carolina, to provide marketing services for recyclables for Camden County and its municipalities at their facility located at 2201 Mt. Ephraim Avenue, Camden, New Jersey, (hereinafter "FACILITY"); and

WHEREAS, the COUNTY and Borough of Audubon Park (hereinafter "MUNICIPALITY") are desirous of entering into a Shared Services Agreement, whereby the MUNICIPALITY will benefit from the above-referenced recycling marketing services; and

WHEREAS, such Shared Services Agreement will provide for the processing and marketing of glass, metal, and certain plastic food and beverage containers, newspapers, old corrugated cardboard and mixed residential paper, and such other recyclables as may be determined from time-to-time by the COUNTY which are generated by municipal programs; and

WHEREAS, this Agreement shall begin on January 1, 2012 and shall end on December 31, 2016; and

WHEREAS, in each month where the Average Commodity Revenue of Single Stream recyclables delivered by the MUNICIPALITY to the OPERATOR exceeds \$75.00 per ton, MUNICIPALITY shall receive a revenue share of 55% and the COUNTY shall receive a portion of the remaining 45% that exceeds the \$75.00 per ton; and

WHEREAS, should the amount per ton be less than \$75.00 in any given month during the term of this Agreement, there shall be no cost to the MUNICIPALITY and the COUNTY shall bear all costs and fees from the delivery of recyclables delivered by the MUNICIPALITY to the OPERATOR for that month; and

WHEREAS, additional terms and conditions shall be negotiated by the parties; and

WHEREAS, N.J.S.A. 40A65-1 et seq ("Uniform Shared Services and Consolidation Act") permits two local units to enter into a contract for services which any party to the agreement is empowered to render within its jurisdiction; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough of Audubon Park, that the proper officials be and are hereby authorized to execute a Shared Services Agreement with the County of Camden, 520 Market Street, Camden, New Jersey 08102, for the provision of marketing recyclables as described herein, at the revenue share and for the term described herein.

BE IT FURTHER RESOLVED, that there shall be no cost to the Borough of Audubon Park for the marketing and delivery of recyclables to the OPERATOR under the terms of the Shared Services Agreement with the County of Camden as authorized by adoption of this Resolution.

Motion made by Councilman Delengowski to adopt Resolution 2011:76, Authorizing a Shared Services Agreement between the County and the Borough of Audubon Park for Recyclables. Seconded by Councilwoman Jones. Roll call vote: Councilman Delengowski-yes, Councilwoman Jones-yes, Councilman Passon-yes, and Mayor Larry Pennock-yes.

GENERAL DISCUSSION:

- **Speed Bumps**

OPEN TO THE PUBLIC AT 7:08 PM:

Barbara Frantz, 3 Peacock Road – inquired into the Shared Services for Recycling with the County, placement of speed bumps, and the Bond Ordinance for the Fire House and Library Roof.

Motion made by Councilman Passon to adjourn the meeting at 7:15 PM. Seconded by Councilwoman Jones. All ayes.