

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF AUDUBON PARK, IN THE COUNTY OF CAMDEN, NEW
JERSEY, HELD MARCH 4, 2013 IN THE MUNICIPAL BUILDING AT 7:00 PM.**

A regular meeting of the Mayor and Borough Council of the Borough of Audubon Park was convened in the Municipal Building, 20 Road C, 2nd Floor, Audubon Park, NJ on Monday, March 4, 2013, at 7:00 PM.

Mayor Pennock requested all stand for the flag salute.

Mayor Pennock announced that Chapter 231, Public Law 1975 requires adequate notice of this meeting be provided. This was done by placing Annual Notice in the Courier-Post and Retrospect Newspapers and by posting on the bulletin board in the Municipal Building.

ROLL CALL: Councilwoman DiPasquale, Councilwoman Jones, Councilwoman Lewis, and Councilman Passon were present. Councilman Delengowski (excused) and Councilwoman Hook (excused) were absent. Stuart Platt, Esquire was also present.

Motion made by Councilman Passon to approve the minutes of the Regular Meeting held on Monday, February 4, 2013 and the minutes of the Working Session held on Monday, February 18, 2013, seconded by Councilwoman DiPasquale.

ORDINANCES:

RESOLUTIONS:

RESOLUTION 2013:24

**BILL RESOLUTION (PAYMENT OF CLAIMS)
(March 4, 2013)**

BE IT RESOLVED, by the Borough Council of the Borough of Audubon Park, County of Camden, State of New Jersey, that the claims for payment detailed in the attached voucher list are hereby approved.

**RESOLUTION FOR DEFERRED SCHOOL TAXES
NO. 2013:25**

WHEREAS, regulations provide for the deferral of not more than 50% of the annual levy when school taxes are raised for a school year and have not been requisitioned by the school district, and

WHEREAS, the Division of Local Government Services requires that a resolution be adopted by a majority of the governing body prior to the introduction of the annual budget of the year subsequent to the deferral, authorizing an increase in the amount of the deferral, and

WHEREAS, it is the desire of the Borough Council of the Borough of Audubon Park, County of Camden to increase the amount of the local school deferred taxes by \$11,526.27.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Audubon Park, that the amount of deferred local school taxes be increased to \$146,858.88.

**RESOLUTION FOR ALLOCATION OF YEAR 35
COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDS #2013:26**

WHEREAS, the Borough of Audubon Park is entitled to Community Development Block Grant funding; and

WHEREAS, the Governing Body has chosen to submit an application for Program Year 35 (2013-2014); and

WHEREAS, the grant allocation for YEAR 35 (2013-2014) for the Borough of Audubon Park is \$18,900.00; and

WHEREAS, the governing body has agreed to apply for funding for the following activity;

CREEK BANK RESTITUTION

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Audubon Park that the Mayor is hereby authorized to sign the Project Description Form for Program Year 35 (2013-2014).

RESOLUTION #2013:27
BOROUGH OF AUDUBON PARK
COUNTY OF CAMDEN

SUBJECT: TAX REIMBURSEMENT CERTIFICATION

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, 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, there I levied upon the owner or operator of every solid waste facility a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operate a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contract Law"; the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its' recycling program.

NOW THEREFORE, BE IT RESOLVED by the Borough of Audubon Park that the Borough of Audubon Park hereby certifies a submission of expenditure of taxes paid pursuant to P.L. 2007, Chapter 311, in 2012 in the amount of \$1,509.33. Documentation supporting this submission is at Borough of Audubon Park, 20 Road C, 2nd Floor, Audubon Park, NJ 08106 and shall be maintained for no less than five years from this date.

The above-resolutions were approved by consent agenda with a motion by Councilman Passon, seconded by Councilwoman Jones. Roll call vote: Councilwoman DiPasquale-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes and Councilman Passon-yes.

OTHER BUSINESS:

Mayor and Council discussed the following issues:

- Chair Lift discussion was tabled
- Federal Infrastructure Loan
- Engineer's report submitted by Greg Fusco, P.E. of Key Engineers

Motion made by Councilman Passon to authorize Greg Fusco, P.E. of Key Engineers to apply for the Camden County Open Space Grant, seconded by Councilwoman Lewis. Roll

call vote: Councilwoman DiPasquale-yes, Councilwoman Jones-yes, Councilwoman Lewis-yes and Councilman Passon-yes.

REPORTS:

Councilwoman DiPasquale reported that she interviewed two applicants for the Library on Wednesday, March 6, 2013.

Councilwoman Jones reported that she interviewed for the Office Help position and Gail started on March 4, 2013.

Councilwoman Lewis asked if any response was received from SCUCS regarding the Senior Lunch Program.

Mayor Larry Pennock reported on the following:

- Complaints were received regarding vehicles parked at the end of Nightingale;
- Town Watch meeting scheduled for Wednesday, March 13, 2013 at the MPB at 7:30 PM;
- The Budget will be tentatively introduced at the next meeting; and
- Summer Concerts are being booked.

Stuart Platt, Esquire reported that his office issued a letter, both regular and certified mail to Patricia Wilson notifying her that the Borough will only reimburse health benefits up to \$15,000 per year and that the agreement signed by her late husband, William Wilson, ends on December 31, 2014. Mr. Platt further reported that Mrs. Wilson did not pick up the certified mail.

OPEN TO THE PUBLIC AT 7:20 PM:

Barbara Frantz, 3 Peacock Road – Ms. Frantz reported a broken fence at the playground. She inquired if the Borough contacted NJ Transit about the possibility of getting a trash can at the bus stop on Black Horse Pike. Mayor Pennock responded that the Borough is responsible for the bus stop.

CLOSED TO THE PUBLIC AT 7:26 PM

RESOLUTION #2013:28

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 2013:28

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:

AUDUBON PARK VS. TIPPIE TOES DAY CARE

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Audubon Park, assembled in public session on March 4, 2013 that an Executive Session closed to the public shall be held on March 4, 2013 in the Municipal Building, 20 Road C, Audubon Park, New Jersey, for the discussion of matters relating to potential litigation. 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 Councilwoman Lewis to adopt Resolution 2013:28 for a Closed Executive Session, seconded by Councilwoman Jones. All ayes.

Motion made by Councilwoman Jones to go back into the regular order of business, seconded by Councilwoman DiPasquale. All ayes.

Motion made by Councilman Passon to authorize Stuart Platt, Esquire to proceed with legal actions against Tippiie Toes Day Care, seconded by Councilwoman Lewis. All ayes.

Motion made by Councilwoman DiPasquale to adjourn the meeting at 7:52 PM. Seconded by Councilman Passon. All ayes.

DAWN M. PENNOCK, RMC
MUNICIPAL CLERK