

**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 MAY 4, 2015 IN THE ANNEX BUILDING AT 7:00 PM.**

A regular meeting of the Mayor and Borough Council of the Borough of Audubon Park was convened in the Annex Building, 504 Road A, Audubon Park, NJ on Monday, May 4, 2015, 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: Councilman Carpinelli, Councilman Delengowski, Councilwoman DiPasquale, Councilwoman Hook, and Councilwoman Lewis were present. Councilwoman Jones (excused) was absent.

Motion made by Councilwoman DiPasquale to approve the minutes of the Regular Meeting held on Monday, April 6, 2015 and the minutes of the Working Session held on Monday, April 20, 2015, seconded by Councilman Delengowski. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

ORDINANCES:

Ordinance #2015-02 – Granting Renewal of Municipal Consent to Comcast to Construct, Connect, Operate and Maintain a Cable Television and Communications System in the Borough of Audubon Park, New Jersey

Motion made by Councilman Carpinelli to open the meeting to the public for Ordinance 2015-02, seconded by Councilwoman Hook. All ayes.

There being no discussion from the public, a motion was made by Councilman Carpinelli to close the public hearing, seconded by Councilwoman Hook. All ayes.

Motion made by Councilman Delengowski to adopt Ordinance #2015-02, seconded by Councilwoman Hook. Roll call vote: Councilman Carpinelli-yes, Councilwoman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

Ordinance #2015-04, Calendar Year 2015, Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Motion made by Councilwoman Hook to open the meeting to the public for Ordinance 2015-04, seconded by Councilman Carpinelli. All ayes.

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Kim Young, 4 Albatross Road – Ms. Young requested information on the purpose of the Ordinance. Mr. Jack Bruno, Asst. Treasurer for the Borough of Audubon Park replied it allows the Borough to spend a certain amount then bank the difference.

Patricia Curiale, 12 Whippoorwill Way – Mrs. Curiale asked how long are you able to bank the difference? Mr. Jack Bruno responded it is perpetual.

There being no further discussion from the public, a motion was made by Councilman Carpinelli to close the public hearing, seconded by Councilman Delengowski. All ayes.

Motion made by Councilwoman DiPasquale to adopt Ordinance #2015-04, seconded by Councilman Delengowski. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

BUDGET RESOLUTIONS:

**RESOLUTION FOR DEFERRED SCHOOL TAXES
NO. 2015:41**

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 adoption 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 \$11,668.62.

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 \$158,527.50.

Motion made by Councilwoman Lewis to adopt Resolution #2015:41, Deferred School Taxes, seconded by Councilman Carpinelli. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

**RESOLUTION TO READ THE YR 2015
BUDGET BY TITLE ONLY
2015:42**

WHEREAS, N.J.S. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that budget shall be read by title only.

Motion made by Councilman Carpinelli to adopt Resolution #2015:42, To Read the YR 2015 Budget by Title Only, seconded by Councilman Delengowski. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

RESOLUTION #2015:35 (Adoption)

BE IT RESOLVED by the Borough Council of the Borough of Audubon Park, County of Camden that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$583,900.00 for Municipal Purposes
\$880,000.00 Total Appropriations

Motion made by Councilman Carpinelli to open the meeting to the public for Resolution #2015:35 (Adoption), seconded by Councilwoman Hook. All ayes.

Denise Balderama, 1 Whippoorwill Way – Ms. Balderama asked for the total budget amount. Mr. Bruno responded that the total budget for the Borough of Audubon Park is \$880,000.

Judy Vanrell, 6 Nightingale Road – Ms. Vanrell asked if the Borough budget was up or down from last year. Mr. Bruno responded that the budget is down and anticipated income is down to due Tippie Toes Day Care.

Denise Balderama, 1 Whippoorwill Way – Ms. Balderama wanted to know when we will get the tax rate from the county and will the tax rate include the USDA loan. Mr. Bruno responded that we don't know when we will receive the tax rate and the USDA Loan will not be part of this budget or tax rate.

There being no further discussion from the public, Councilman Carpinelli made a motion to close the public hearing, seconded by Councilman Delengowski. All ayes.

Motion made by Councilman Carpinelli to adopt the 2015 Municipal Budget, seconded by Councilman Delengowski. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

RESOLUTIONS:

RESOLUTION 2015:43

**BILL RESOLUTION (PAYMENT OF CLAIMS)
(May 2015)**

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 with the following totals:

CURRENT FUND	\$117,634.21
MPB	\$ 400.00
DOG	\$ 169.80

Motion made by Councilwoman Lewis to adopt Resolution 2015:43, Bill Resolution, provided the proper affidavits are attached, seconded by Councilwoman DiPasquale. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

TONNAGE GRANT APPLICATION RESOLUTION 2015:44

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 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Audubon Park 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 Barbara Prince 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 Councilman Carpinelli to adopt Resolution #2015:44, Recycling Tonnage Grant, seconded by Councilwoman DiPasquale. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

RESOLUTION #2015:45

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

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P.L. 2007, Chapter 311, in 2014 in the amount of \$1,278.57. 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.

Motion made by Councilman Delengowski to adopt Resolution #2015:45, Tax Identification Statement, seconded by Councilman Carpinelli. Roll call vote: Councilman Carpinelli-yes, Councilman Delengowski-yes, Councilwoman DiPasquale-yes, Councilwoman Hook-yes, and Councilwoman Lewis-yes.

REPORTS:

Mr. Chris Stokes read a detailed report for Sustainable Audubon Park, regarding such topics as: Solar Energy, Peter's Creek Rain Garden, and Peter's Creek Restoration Project.

Chief John Terruso, APFD – Chief Terusso reported that Audubon Park Volunteer Fire Company had 10 calls this month, two fire hoses were replaced due to damage sustained in a fire, and there would be three E.M.T.s in the Department by the end of the month. He further reported that a resident donated pet oxygen masks to both APFD and West Collingswood Heights Fire Depts. Chief Terruso completed the safety check list.

Councilman Delengowski reported that he is still investigating the requirements for the generator for the Fire House.

Councilwoman Hook reported that she finished the classroom portion of the Master Gardeners Program and she has 40 hours remaining of non-classroom time to receive certification. She mentions that this opens up the possibility for grants and use of the network of gardeners as volunteers. She reports that the Camden County Board of Freeholders are presenting a Green Garden Fair on Saturday, May 16, 2015 in Cherry Hill and a Shredding Event on May 30th at Camden County College. Councilwoman Hook further points out that the Borough has not appointed a Green Team Leader. Finally, she mentions that Gail attended a safety meeting and received an award on behalf of the Borough.

Councilman Carpinelli reported that the Audubon Park 4th of July Committee had the yard sale on Saturday and rented 16 tables.

Chief Mark Cavallo responded to a questions regarding letters going out through Audubon Park for donations to the PBA for the Borough of Audubon Park. Chief Cavallo responded that due to the fact that Audubon Park has the same zip code as the Borough of Audubon they will continue to receive those letters. He further states that PBA Local 257 is Haddon Township Police and that several retired Haddon Township Police Officers are members of the FOP.

Mayor Pennock reported on the following:

- He walked the Audubon Schools' Superintendent along with teachers through the Audubon Park School Building last week. The arrangement with Tippiie Toes officially ended today and the Borough began clean-up of the area.

- U.S.D.A. Project is still in the process. There were changes in the specifications since Audubon Pre-School will be using the building in September 2016. Bathrooms must meet the State requirements for Pre-School children.
- He has heard the residents' complaints about trash and as a result, he had Chris Stokes reach out to Commissioner John Martin with the possibility of doing a shared service for trash. He will be meeting with Commissioner Martin on Wednesday and they are expecting to come to terms for the agreement.
- The Borough received \$108,000 for the drains on Eagle Road and Goldfinch Road. Since Eagle Road was already completed by the AMHC, the Borough will be writing a letter to let the Trustees know that we received these funds and we are requesting permission to move forward with the project, which will not cost the taxpayers. A second rain garden will be done along with this project to protect the embankment from further erosion.
- There are two open space grants to complete the pathway at Peter's Creek along with the purchase of benches.
- The permanent speed humps are in and many residents are happy.
- Courtesy busing has been switched to CDBG and with the purchase of the Bus, the Borough is looking into busing our kids ourselves, and possibly the high school kids, too.
- The Borough requested quotes for the painting of the hockey rink.
- With the pending visit of the Pope and the Democratic National Convention in Philadelphia, Rudy Young and Wendy Schwartz are working towards preparing an Emergency Operating Plan since we will be the first exit off the Walt Whitman Bridge.
- Congratulation to Chris Stokes on his upcoming graduation from Drexel with an Engineering Degree.

With no further business on the agenda, Councilman Carpinelli made a motion to open the meeting to the public, seconded by Councilwoman Hook at 7:37 PM. All ayes.

Paula Lore, 9 Nightingale Road – Ms. Lore wants to know why the Borough is putting money into the hockey rink when nobody uses it. Mayor Pennock responded that several years ago we obtained a quote to knock it down for \$15,000.00 so we decided to fix it up to provide a viable option for kids and their families. Ms. Lore asked why the flag area is not maintained. The Mayor responded that maintenance always took care of that area. If the Board of Trustees want us to maintain it we will be happy to take it over.

Denise Balderama, 1 Whippoorwill Way – Ms. Balderama suggested taking down the sides of the hockey rink and making it a pavilion for the residents. The pavilion would be more beneficial for everyone. The Mayor requests that the Clerk add this to the Working Session agenda.

Cathy Collins, 3 Mockingbird – Ms. Collins suggested that the Borough utilize the removable speed bumps in other locations instead of spending the money to have others put in. Councilman Carpinelli responded that it cost a lot of money to have those speed bumps put in and taken out. Ms. Collins suggested other methods of preventing erosion of the Peter's Creek embankment.

Carol Szalabofka, 7 Nightingale – Mrs. Szalabofka requested the total of the USDA Loan as well as how much it will cost the residents. Mayor Pennock responded that he presented all the information

at the roundtable meetings. He also explained that there was no concrete number at this time due to unknown factors, such as rental of the school building to Audubon Pre-School.

Pete Tait, 14 Wren Road – Mr. Tait reported that you just said we were contracting with Audubon Board of Education for the Pre-School program being in our building and yet he read an article about the YMCA taking over the pre-school. The Mayor pointed out that there are two different pre-schools. The one that is part of the school system is the Shapes Program.

Denise Balderama, 1 Whippoorwill Way – Ms. Balderama reported that Borough Council adopted a resolution to enter into eminent domain for the Baseball Field. CherylLynn Walters, Esquire responded that the Borough authorized eminent domain and this is an ongoing discussion between respective attorneys. The Borough's attorney is waiting for Audubon Mutual Housing's attorney to respond. CherylLynn further cautions Ms. Balderama that eminent domain was authorized by resolution but not filed.

Dan Zizak, 16 Goldfinch Road – Mr. Zizak mentioned an e-mail that he sent to Mayor Pennock requesting a Coordinating Meeting. Mayor Pennock commented there was concern from both the Mayor and Council about the validity of the request.

Councilman Carpinelli asked if the members of the Board of Trustees were here as residents or Trustees. Trustees responded in various ways.

Therese O'Connell, 6 Road A – Ms. O'Connell asked why the Borough Council wanted to take over the area. The Board of Trustees made a decision to have all recreational vehicles removed from the Borough of Audubon Park. The Mayor and Borough Council presented an option to the Trustees that would remove their liability from the areas and give the recreational vehicles a place to park away from the residents. The Borough would use grant money to fix up the ball field instead of the Trustees fixing it up which would cost the residents money.

Carol Szalabofka, 7 Nightingale Road – Mrs. Szalabofka once again asked about upkeep of borough properties. The Mayor responded that the Borough does budget some money for upkeep in their budget.

Chris Stokes, 15 Albatross Road – Mr. Stokes thanked the Mayor and Borough Council for all the work they do for the town. He further points out that prior to Borough Council getting grant money to fix up Peter's Creek, the area was completely neglected by Audubon Mutual Housing Corporation.

Denise Balderama, 1 Whippoorway – Ms. Balderama points out that the reason Audubon Mutual Housing didn't do anything with that area is because it was flood waters.

Cindy Hassett, 8 Kingfisher Court – Mrs. Hassett commented to Denise Balderama that campers were always allowed in Audubon Park.

Therese O'Connell, 6 Road A – Mr. O'Connell asked how long the residents will be paying for the USDA Loan. The Mayor commented for 30 years.

Dorothy Grandizio, 3 Ibis Drive – Ms. Grandizio commented that she had no problem with Mrs. Hassett's camper being at the end of her street.

Theresa Zizak, 16 Goldfinch Road – Mrs. Zizak said the last time there was a creek clean up the bags were left at the creek and when she called the Borough she was told that someone dragged those leaves there. Mayor Pennock responded that there was a time when maintenance used to pick up the trash. The Borough doesn't have a public works department which means we either need volunteers or we have to hire someone.

Kelly Przybyszewski, 14 Mockingbird Lane – Mrs. Przybyszewski commented that her husband cleans up the backlot behind her house and then puts the trash in their trash cans. She further stated all residents should take the time to help clean up the area around their yards.

Charlene Lefebvre, 2 Turtledove Court – Ms. Lefebvre reported that she cleans up the area outside of her yard even though she doesn't make the mess. She also stated there are many residents whose yards are a disgrace.

Scott Grohowski, 5 Nightingale Road – Mr. Grohowski reported that when the Borough has volunteer creek clean up days, he comes out and volunteers and brings his family. The turnout is always poor and more people should volunteer to clean up.

With no further comments from the public, Councilman Carpinelli made a motion to close the public portion at 8:21 PM, seconded by Councilwoman Lewis. All ayes.

Motion made by Councilman Carpinelli to adjourn the meeting at 8:21 PM, seconded by Councilman Delengowski. All ayes.

DAWN M. PENNOCK, RMC
MUNICIPAL CLERK