



Mayor Robert Jakubowski
Director of Public Works, Parks and Buildings

Commissioner Robert O. Lee
Director of Public Safety and Affairs

Commissioner Jeffrey Whitman
Director of Revenue and Finance

Agenda

Commissioner's Meeting
December 20, 2022
7:00 P.M.

MEETING CALLED TO ORDER

- I. OPENING STATEMENT: "Notice of this meeting has been provided in a legal notice published in the Courier Post and The Retrospect and posted in accordance with Title 10 of the New Jersey Statutes Annotated, specifying a 7:00 pm meeting time and that formal action may or may not be taken at all Caucus and Commissioners' Meetings."
- II. FLAG SALUTE
- III. MOTION TO APPROVE THE MEETING MINUTES: December 6, 2022
- IV. ORDINANCES FOR ACTION:
- V. RESOLUTIONS FOR ACTION:
 - **2022-148** Authorizing the Borough Administrator to Receive RFQ Submissions for Municipal Public Defender
Motion by: *Second by:* *All in favor*
 - **2022-149** Authorizing the Appointment of Robert Chabot, Animal Control Officer for the Borough Of Audubon for 2023
Motion by: *Second by:* *Roll Call*
 - **2022-150** Authorizing the Appointment of the Voorhees Animal Orphanage as the Borough of Audubon's Animal Shelter for a term of two years, January 27, 2023 to January 27, 2025
Motion by: *Second by:* *All in favor*
 - **2022-151** Authorizing the Refund of an Overpayment of Taxes for Block 42 Lot 2
Motion by: *Second by:* *Roll Call*
 - **2022-152** Authorizing the Refund of an Overpayment of Taxes for Block 98 Lot 19
Motion by: *Second by:* *Roll Call*
 - **2022-153** Authorizing the Transfer of Funds in the 2022 Municipal Budget
Motion by: *Second by:* *Roll Call*
 - **2022-154** Authorizing the Payment of Bills for the Month of December 2022
Motion by: *Second by:* *Roll Call*
 - **2022-155** Authorizing the Appointment of Bowman & Company, LLP as Borough Auditor for 2023
Motion by: *Second by:* *All in favor*

VI. COMMISSIONER REPORTS:

- COMMISSIONER LEE
- COMMISSIONER WHITMAN
- MAYOR JAKUBOWSKI

VII. OPEN SESSION (**GENERAL MATTERS**): MOTION TO OPEN/MOTION TO CLOSE

VIII. CLOSED SESSION (If needed)

IX. ADJOURNMENT

RESOLUTION #2022-148

**AUTHORIZING THE BOROUGH ADMINISTRATOR TO RECEIVE RFQ SUBMISSIONS FOR MUNICIPAL
PUBLIC DEFENDER FOR THE BOROUGH OF AUDUBON**

WHEREAS, BE IT RESOLVED, the Board of Commissioners of the Borough of Audubon, do hereby authorize the Borough Administrator, **David Taraschi**, receive RFQ submissions for Municipal Public Defender for the Borough of Audubon Municipal Court.

THEREFORE, BE IT RESOLVED, the Commissioners do authorize said appointment.

Robert Jakubowski, Mayor

Robert O. Lee, Commissioner

Jeffrey Whitman, Commissioner

ATTEST: _____
Bonnie L. Taft, Borough Clerk

DATED: December 20, 2022

**REQUEST FOR
PROPOSAL/QUALIFICATIONS
FOR
MUNICIPAL PUBLIC DEFENDER**

**Issued by the
BOROUGH OF AUDUBON**

Date Issued: December 20, 2022

Responses Due: January 6, 2023

**REQUEST FOR PROPOSAL & QUALIFICATIONS (RFP)
FOR
MUNICIPAL PUBLIC DEFENDER**

I. PURPOSE AND INTENT

Through this Request & Qualifications (RFP), the Borough of Audubon (hereinafter the “Borough”) seeks to engage a vendor as (position) for Municipal Court Public Defender. This contract will be awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.

II. PROPOSAL SUBMISSION

An original, clearly marked as the “ORIGINAL” and three (3) full, complete and exact copies of each proposal shall be in sealed envelopes and must be marked with the “Municipal Public Defender” and addressed to:

Borough Administrator
Borough of Audubon
606 West Nicholson Road
Audubon, New Jersey 08106

The proposal must be received no later than **January 6, 2023 at 10:00 a.m.**

Faxed proposals will NOT be accepted.

Any inquiry concerning this RFP should be directed in writing to:

Mr. David Taraschi
Borough Administrator
Borough of Audubon
606 West Nicholson Road
Audubon, New Jersey 08106

All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Borough of Audubon will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Borough of Audubon reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough of Audubon further reserves the right to make such informalities in the proposals. The Borough of Audubon further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Borough of Audubon reserves the right to re-solicit proposals.

III. GENERAL INFORMATION ON THE BOROUGH OF AUDUBON

The Borough of Audubon operates under the Walsh Act Commission Form of Government. The Borough of Audubon is approximately 1.5 square miles, has a population of 9,182 and an annual operating budget of approximately \$8 million. The Borough generally meets the first and third Tuesdays of the month, as well as special meetings on an as needed basis.

MUNICIPAL COURT PROSECUTOR

GENERAL CRITERIA: The Borough of Audubon desires to appoint a Public Defender who will be the chief Public Defender of the State of New Jersey and the Boroughs of Audubon, Haddonfield, Haddon Heights, Stratford and Tavistock in the prosecution of cases before the shared Municipal Court of the Boroughs of Audubon, Haddonfield, Haddon Heights, Stratford and Tavistock. The Applicants will also be responsible Public Defender matters for the Borough of Audubon, Haddonfield, Haddon Heights, Stratford and Tavistock. Applicants should demonstrate knowledge and experience in matters relating to public defender matters before the municipal courts of the State of New Jersey. Any experience or knowledge of matters that directly affect the Borough of Audubon, Haddonfield, Haddon Heights, Stratford and Tavistock.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative offices of the State of New Jersey for a period of not less than five (5) years preceding appointment.
2. Must have experience as a municipal court public defender.
3. Must provide a description of availability for municipal court sessions as scheduled in Audubon, which are conducted on Monday mornings.
4. Must list other past and present municipal courts served as Public Defender.

RESOLUTION #2022-149

**AUTHORIZING THE APPOINTMENT OF AN ANIMAL CONTROL OFFICER FOR THE BOROUGH OF
AUDUBON**

WHEREAS, BE IT RESOLVED, the Board of Commissioners of the Borough of Audubon, do hereby authorize the appointment of an Animal Control Officer for the Borough of Audubon for the term of one year commencing January 1, 2023 until December 31, 2023 as:

Robert Chabot, Independent Animal Care Services LLC.

THEREFORE, BE IT RESOLVED, the Commissioners do authorize said appointment.

Mayor Robert Jakubowski

Robert O. Lee, Commissioner

Jeffery Whitman, Commissioner

ATTEST: _____
Bonnie L. Taft, Borough Clerk

DATED: December 20, 2022



Toll Free: 1(855) IACS ACO
1(855) 422-7226
Fax: 856-504-0056
Email: iacshj@gmail.com
Web: www.iacsnj.com
P.O. Box 312
West Berlin, NJ 08091

TO: Borough of Audubon

RE: Renewal of Animal Control Services Contract for 2023

Independent Animal Care Services LLC. permits extending the current contract for animal control services under the same terms/rate of the existing contract for the 2023 year.

In accordance with the current terms of the contract, Independent Animal Care Services LLC. will extend the contact for animal control services for the 2023 year upon mutual written consent by the Borough of Audubon. The contract extension will commence on January 1st, 2023 and will terminate December 31st, 2023.

By signing below the Township/Borough wishes to extend the contract with Independent Animal Care Services LLC for the 2023 year under the same terms and conditions of the current contract for animal control services.

If you have any questions, please do not hesitate to contact me directly at 855-422-7226 ext. 710

Thank you.

Robert Chabot
Owner
Independent Animal Care Services LLC.

This 7 Day of December, 20 22.

Municipal Official

Attest

RESOLUTION #2022-150

AUTHORIZING THE APPOINTMENT OF AN ANIMAL SHELTER FOR THE BOROUGH OF AUDUBON

WHEREAS, BE IT RESOLVED, the Board of Commissioners of the Borough of Audubon, do hereby authorize the appointment of Voorhees Animal Orphanage for the Borough of Audubon for the term of two years, commencing January 27, 2023 until January 27, 2025 for Animal Shelter Services;

THEREFORE, BE IT RESOLVED, the Commissioners do authorize said appointment.

Mayor Robert Jakubowski

Robert O. Lee, Commissioner

Jeffery Whitman, Commissioner

ATTEST: _____
Bonnie L. Taft, Borough Clerk

DATED: December 20, 2022

Voorhees Animal Orphanage

419 Cooper Rd

Voorhees, NJ 08043

Phone: 856 627-9111 Fax: 856 627-6656

www.vaonj.org

SHELTER SERVICES AGREEMENT

This Shelter Services Agreement (“Agreement”) is made on **12/12/22**, by and between Voorhees Animal Orphanage, Inc. (“VAO”), with its principal place of business located at 419 Cooper Rd, Voorhees, NJ 08043, and the **Borough of Audubon**, a body politic and corporate, with its principal place of business located at **606 West Nicholson Rd, Audubon, NJ 08106**

WITNESSETH:

WHEREAS, the Municipality requires the provisions of animal shelter services; and

WHEREAS, VAO is able to competently provide to the Municipality the required shelter services.

NOW THEREFORE, in consideration of the mutual covenants herein contained and intending to be legally bound, the parties hereby agree as follows:

1. **TERM.** The term of this agreement shall be for **2 years**, commencing on **January 27, 2023 thru January 27, 2025**.
2. **SCOPE.** VAO shall provide the following services in accordance with applicable federal, state and local laws, statutes, rules and regulations:
 - A. House, shelter, feed, and care for all felines and canines found or otherwise acquired by or in the Municipality, with the exception of any injured or sick felines or canines obtained within the Municipality that have been diagnosed with or are suspected of having a communicable disease, which are determined by the VAO to endanger the health of the other animals at the shelter. In addition, any felines or canines adopted from another shelter, including but not limited to Animal Adoption Center, Camden County Animal Shelter, and Animal Welfare Association, must be returned to original shelter, unless a surrender to VAO is approved by the VAO Director.
 - B. Treat as medically necessary, or euthanize on the recommendation of a veterinarian all animals found or otherwise acquired by or in the Municipality, which are impounded at the shelter. With the exception of those found seriously ill or injured by the Animal Control Officer, in which case appropriate emergency treatment must be provided by a veterinarian at the sole cost and expense of the Municipality, before said animal is surrendered to the

shelter. If, within 24 hours of being received into the shelter, it is determined an animal should have received emergency veterinary care before being brought to the shelter, the township will be responsible for reimbursing VAO the costs of the emergency treatment that VAO incurs for said animal within thirty (30) days of invoice.

- C. Euthanize animals when necessary, pursuant to VAO policy, found or otherwise acquired by or in the Municipality, which are impounded at the shelter.
- D. Sterilize and release any feral animals which pose no threat to the health of the public.

3. MUNICIPALITY RESPONSIBILITIES.

- A. **The Municipality shall compensate VAO: \$4,485.00 per year for basic shelter services for up to 40 animals per calendar year, payable on a monthly basis at \$373.75 per month, due within 30 days of the invoice date. An additional charge of \$95.00 per animal will be assessed for any animal placed with VAO above the allotted 40 animals per calendar year.**
- B. The Municipality shall be responsible for the reimbursement of all costs for emergency medical attention that is required for an impounded animal that is delivered to the shelter by the Municipality's Animal Control Officer, when that animal should have received emergency medical attention pursuant to N.J.A.C. 8:23A-1.12 prior to delivery to the shelter.
- C. The Municipality shall give notice to VAO of any planned action which may result in the Municipality's Animal Control Officer's placement of 7 or more animals from a single household, colony, trapping action or other planned action. 48 hours' notice must be given for any such placement by the Municipality's Animal Control Officer, unless the placement will occur on a holiday in which case 72 hours' notice must be given. Notice shall include the approximate number and type of animals, the municipality of origin, and the anticipated condition of these animals. Notice may be given via phone or in person by the Municipality's Animal Control Officer, to the VAO Director, or Kennel Manager, but not via email or phone message, or to anyone else.
- D. **For any animals placed at VAO which must be held pending a resolution by the Courts or by another determination out of the control of VAO, the Municipality shall be billed at a rate of \$25 per day per animal plus and medical services that the VAO deems necessary.**
- E. Unless previously approved by the VAO Director, or Kennel Manager, no more than 40 animals per one Monday through Sunday week (7 day) period may be brought to VAO from one Municipality.
- F. Payment for invoices shall be made by the Municipality within thirty (30) days after receipt

of invoice for service. Payments made thereafter shall be subject to a late payment charge on the unpaid balance remaining at a rate of ten percent (10%) per annum. Should the Municipality fail to pay any invoice, and such failure is not cured within sixty (60) days, VAO shall be permitted to suspend service without any further written notice of same. At VAO's discretion, VAO may pursue any available remedy at law or in equity in addition to collecting the late payment charge and/or any outstanding principal amount due from the Municipality under the provisions of this Agreement for its Term. This provision shall survive the termination of this Agreement, subject to the limitations and provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-2, all rules, regulations made pursuant to same, and all other applicable law.

G. The Municipality and VAO, respectively, shall defend, indemnify and hold harmless the other party, its officers, agents and employees, from any and all claims, suits, actions, damages or costs, of any nature whatsoever, whether for personal injury, property damage or other liability, arising out of or in any way connected with the Municipality's or VAO's, its officers', agents', and employees' intentional or negligent acts or omissions in connection with this agreement.

4. **OTHER CHARGES.** VAO retains the right to impose fees on the Municipality's residents for, among other things, the reclamation, adoption and/or surrender of an animal pursuant to this list of charges attached hereto and made a part hereof. VAO reserves its right to amend its charges consistent with the proper fiscal management of the shelter.
5. **WHO IS BOUND.** Each person who signs this Agreement is bound by this Agreement. Anyone who succeeds to any party's rights and responsibilities, such as heirs or the executor of a Part's estate, is also bound.
6. **AUTHORIZATION.** The parties hereby represent and warrant that they each have the requisite power and authority to make and perform the obligations under this Agreement, and that the execution of this Agreement has been duly authorized by all requisite corporate action, if necessary.
7. **CAPTIONS.** The captions in this Agreement are inserted only as a matter of convenience and for ease of reference and in no way define, limit, enlarge or describe the scope or intent of this Agreement, nor shall they in any way affect this Agreement or the construction of any provision.
8. **ENTIRE AGREEMENT.** This Agreement sets forth all promises, agreements, conditions and understandings either oral or written among them or other than as are herein set forth. No subsequent alteration, amendment, change or addition to this Agreement shall be binding on any

RESOLUTION # 2022-

**SUBJECT: REFUND OVERPAYMENT TO THE HOMEOWNER FOR 1st QUARTER OF 2022
DUE TO THE MORTGAGE COMPANY AND THE OWNER PAYING**

BE IT RESOLVED by the Board of Commissioners of the Borough of Audubon that the refund be as follows:

<u>Block/Lot</u>	<u>REFUND:</u>	<u>AMOUNT</u>
98/19	Giavonna Delpidio LLC 20 Oswego Avenue Audubon, New Jersey 08106	\$ 1,553.80
Total to be refunded:		\$ 1,553.80

Robert Jakubowski, Mayor

Robert O. Lee, Commissioner

Jeffrey M. Whitman, Commissioner

ATTEST

Bonnie L. Taft, Borough Clerk

DATE: December 20, 2022

RESOLUTION # 2022-

**SUBJECT: REFUND OVERPAYMENT TO THE HOMEOWNER FOR 2nd QUARTER OF 2022
DUE TO THE MORTGAGE COMPANY AND THE OWNER PAYING**

BE IT RESOLVED by the Board of Commissioners of the Borough of Audubon that the refund be as follows:

<u>Block/Lot</u>	<u>REFUND:</u>	<u>AMOUNT</u>
42/2	Stephen Picone 102 Carlisle Road Audubon, New Jersey 08106	\$ <u>1,754.96</u>
Total to be refunded:		\$ 1,754.96

Robert Jakubowski, Mayor

Robert O. Lee, Commissioner

Jeffrey M. Whitman, Commissioner

ATTEST

Bonnie L. Taft, Borough Clerk

DATE: December 20, 2022

RESOLUTION # 2022- 151

**SUBJECT: REFUND OVERPAYMENT TO THE HOMEOWNER FOR 2nd QUARTER OF 2022
DUE TO THE MORTGAGE COMPANY AND THE OWNER PAYING**

BE IT RESOLVED by the Board of Commissioners of the Borough of Audubon that the refund be as follows:

<u>Block/Lot</u>	<u>REFUND:</u>	<u>AMOUNT</u>
42/2	Stephen Picone 102 Carlisle Road Audubon, New Jersey 08106	<u>\$ 1,754.96</u>
Total to be refunded:		<u>\$ 1,754.96</u>

Robert Jakubowski, Mayor

Robert O. Lee, Commissioner

Jeffrey M. Whitman, Commissioner

ATTEST

Bonnie L. Taft, Borough Clerk

DATE: December 20, 2022

RESOLUTION # 2022-152

**SUBJECT: REFUND OVERPAYMENT TO THE HOMEOWNER FOR 1st QUARTER OF 2022
DUE TO THE MORTGAGE COMPANY AND THE OWNER PAYING**

BE IT RESOLVED by the Board of Commissioners of the Borough of Audubon that the refund be as follows:

<u>Block/Lot</u>	<u>REFUND:</u>	<u>AMOUNT</u>
98/19	Giavonna Delpidio LLC 20 Oswego Avenue Audubon, New Jersey 08106	\$ <u>1,553.80</u>
Total to be refunded:		\$ 1,553.80

Robert Jakubowski, Mayor

Robert O. Lee, Commissioner

Jeffrey M. Whitman, Commissioner

ATTEST

Bonnie L. Taft, Borough Clerk
DATE: December 20, 2022

	<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>		<u>TO</u>	<u>FROM</u>
2	01-20-100-000-011	ADMINISTRATIVE & EXECUTIVE	S&W	\$ -	\$ -
2	01-20-100-000-029	ADMINISTRATION	OE		-
2	01-20-145-000-014	TAX COLLECTION	S&W	1,500.00	
2	01-20-155-000-011	LEGAL - PROSECUTOR	OE		
2	01-20-155-000-012	LEGAL - PUBLIC DEFENDER	OE	300.00	
2	01-23-220-000-001	GROUP INSURANCE	OE		
2	01-23-225-000-001	UNEMPLOYMENT	OE	1,000.00	
2	01-26-310-000-029	BUILDINGS & GROUNDS	OE	500.00	
2	01-26-315-000-020	VEHICLE MAINTENANCE - PW	OE	2,000.00	
2	01-27-340-000-135	DOG WARDEN SHELTER	OE		
2	01-28-375-000-024	MAINTNENACE OF PARKS	OE		
2	01-30-420-000-001	CELEBRATION	OE		
2	01-31-430-000-000	ELECTRICITY	OE		29,300.00
2	01-31-440-000-000	TELEPHONE	OE		
2	01-31-445-000-000	WATER	OE	8,000.00	
2	01-31-446-000-000	GASOLINE	OE	15,000.00	
2	01-31-461-000-000	FIRE HYDRANT SERVICES	OE	1,000.00	
	TOTAL	TRANSFER RESOLUTION		\$ 29,300.00	\$ 29,300.00

\$ -

ATTEST:

BONNIE L. TAFT, BOROUGH CLERK

DATE:

DEC. 20, 2022

ROBERT JAKUBOWSK, MAYOR

ROBERT O. LEE, COMMISSIONER

JEFF WHITMAN, COMMISSIONER

RESOLUTION #2022-154

PAYMENT OF BILLS

Authorizing the Board of Commissioners of the Borough of Audubon to approve and provide payment for the December 2022 bill list.

Mayor Robert Jakubowski

Jeffrey Whitman, Commissioner

Robert O. Lee, Commissioner

ATTEST: _____
Bonnie Taft, Municipal Clerk

DATED: December 20, 2022

RESOLUTION #2022-155

AUTHORIZING THE APPOINTMENT OF BOWMAN & COMPANY, LLP AS BOROUGH AUDITOR

WHEREAS, BE IT RESOLVED, that the Board of Commissioners of the Borough of Audubon do hereby authorize the appointment of Bowman & Company, LLP as Borough Auditor for the Borough of Audubon for 2023.

Mayor Robert Jakubowski

Robert O. Lee, Commissioner

Jeffery Whitman, Commissioner

ATTEST: _____
Bonnie L. Taft, Borough Clerk

DATED: December 20, 2022