

MINUTES
SPECIAL COUNCIL MEETING
DECEMBER 28, 2006
6:00 p.m.

In compliance with N.J.S.A. 10:4, Open Public Meetings Law, notice was given to two newspapers and posted, that a council meeting of the Mayor and Council was scheduled for Thursday, December 28, 2006 at 6:00 P.M. The Municipal Clerk took the roll call and showed that all were present, except the Solicitor Mr. Siciliano, and Councilwoman Martz who were away and unable to attend. The Engineer Mr. Bach was also absent.

A motion was made by Councilwoman Bonamassa to open this portion of the meeting to the public. Councilman DePrince seconded the motion. All Council voting aye.

No one from the public spoke.

Motion made by Councilman D'Amico to close the meeting to the public, seconded by Councilman Whalen, with all Council voting aye.

Old Business:

Motion made by Councilman DePrince, seconded by Councilman Whalen to open the Public Hearing for Ordinance 2006:19 with all Council voting aye. No one from the public had any questions or comments. Motion by Councilman DePrince, seconded by Councilwoman Bonamassa to close the Public Hearing. All Council voted aye.

Motion by Councilman DePrince, seconded by Councilman Whalen to adopt:

ORDINANCE 2006:19

AN ORDINANCE AMENDING ARTICLES I and II DRUG-FREE PUBLIC AREAS ZONE MAP CHAPTER 128
AND

ORDINANCE 2005-18 CREATING CHAPTER 222 SEX OFFENDER RESIDENCY PROHIBITION IN THE BOROUGH OF
MAGNOLIA, CAMDEN COUNTY, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Magnolia to amend Ordinance No. 593 which created Article II Drug-Free Public Area Zone Map and to also amend Ordinance 2005-18 which created Chapter 222 of the Borough Code entitled Sex Offender Residency Prohibition in the Borough of Magnolia be amended as follows:

SECTION 1.

Amend 128-1; Adoption of map. Article I of Chapter 128 to read as follows:

In accordance with and pursuant to the authority of L. 1988, c. 44 (N.J.S.A. 2C:35-7), the Drug-Free School Zone Map produced on or about December 04, 2006 by Bach Associates, PC, Municipal Engineer, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for school purposes and which is owned by or leased to any elementary or secondary school or school board and of the areas on or within 1,000 feet of such school property.

SECTION 2.

Amend 128-2. Official finding and record; amendments. Section B to read as follows:

The drug-free school zone is hereby amended to include St. Gregory's School, located at Evesham Avenue and the White Horse Pike, and the area on or within 1,000 feet of such school property as a drug-free school zone as depicted on the map prepared by James A. Conway, Jr. dated December 04, 2006, and all terms and conditions of this article shall apply to this drug-free school zone.

SECTION 3.

Amend 128-6. Adoption of map. Article II Drug-Free Areas Zone to read as follows:

In accordance with and pursuant to the authority of L. 1997, c.327, the Drug Free Municipal Zone Map prepared by James A. Conway, Jr. of Bach Associates, PC, Municipal Engineer, dated December 04, 2006, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for a public housing facility, public park or public building and which is owned by or leased to any housing authority or municipality and the areas on or within 500 feet of the property.

SECTION 4.

Amend Section 128-11. Incorporation of drug-free school zones to read as follows:

The Mayor and Council incorporate herein Ordinance 483 depicting drug-free school zones, and reaffirm the terms and conditions of such ordinance and the map prepared by James A. Conway, Jr. of Bach Associates, PC dated December 04, 2006 as referenced herein containing the drug free school zones as set forth in Ordinance 483.

SECTION 5.

Amend Chapter 222 Sex Offender Residency Prohibition. To create Section e, Adoption of Map. Map entitled "Sex Offender Residency Prohibition Map", prepared by James A. Conway, Jr. of Bach Associates, PC, the Municipal Engineer, dated December 04, 2006 will be used as reference to enforce any section of Chapter 222.

SECTION 6.

This ordinance shall take effect immediately upon passage and publication according to law.

All Council voted aye by roll call vote.

New Business:

Motion made by Councilman Whalen to adopt, seconded by Councilman DePrince for:

RESOLUTION 2006:191

WHEREAS, the Borough of Magnolia is in need of upgrading and improving many student routes for safety issues; and WHEREAS, the State of NJ Department of Transportation is offering federal money for such issues to assist municipalities; and WHEREAS, the Chief of Police, Director of Public Safety and the Borough Engineer have reviewed the guidelines of this Safe Routes to School Grant and the needs of the municipality; and WHEREAS, many of the unsafe student route needs of the Borough of Magnolia can be met with funds from this grant; NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council to recommend and support the Safe Routes to School Grant application to the State of NJ Department of Transportation for safety needs for students of the Borough of Magnolia.

All Council voted aye by roll call vote.

Councilman Whalen motioned to adopt, seconded by Councilman Wilson for:

Resolution 2006:192

Cancellation of Tax and Sewer Balances Due \$10.00 and less, and Cancellation of Tax and Sewer Overpayments \$10.00 and less.

All Council voted aye by roll call vote.

Motion made to adopt by Councilman Whalen, seconded by Councilman Wilson for:

RESOLUTION #2006:193

Transfer Resolution #3 as submitted by the CFO.

All Council voted aye by roll call vote.

Motion by Councilman DePrince, seconded by Councilman Wilson to approve:

Resolution 2006:194

Authorize execution of Interlocal Agreement between Magnolia Borough and Somerdale Borough for the purchase and use of a sewer line camera.

All Council voted aye, with the exception of Councilman D'Amico who voted no.

Motion made by Councilman DePrince, seconded by Councilman Whalen to adopt:

Resolution 2006:195

Authorize execution of Interlocal Agreement between Magnolia Borough and Somerdale Borough for the purchase and use of an ambulance.

All Council voted aye, with the exception of Councilman D'Amico who abstained.

Motion made by Councilman D'Amico, seconded by Councilman DePrince to adopt:

RESOLUTION 2006:196

WHEREAS, on April 24, 2006 the Governing Body adopted Resolution 2006:76 for anticipated funds from NJ Click It or Ticket of \$4,000; and

WHEREAS, the Borough of Magnolia did not receive the funds from the State of NJ;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council to rescind Resolution 2006:76 since the funding was never approved and received from the State of NJ.

All Council voted aye.

Councilman D'Amico made a motion to approve the minutes for December 06, 2006, seconded by Councilwoman Bonamassa, with all Council voting aye.

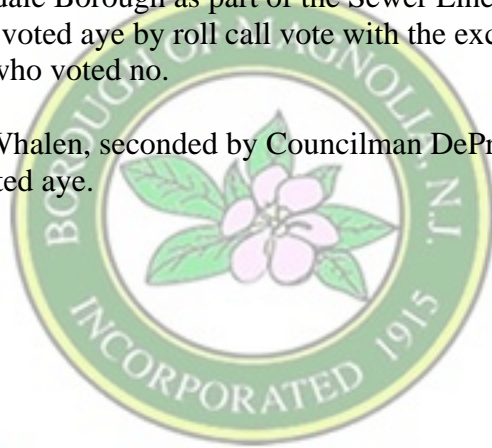
Motion made by Councilwoman Bonamassa to approve the payment of the bills as listed on the bill list provided by the Treasurer, seconded by Councilman Whalen, with all members voting aye by roll call vote.

Motion made by Councilman D'Amico, seconded by Councilwoman Bonamassa to go into Executive Session. All Council voted aye. Resolution 2006:197

Motion made by Councilman D'Amico, seconded by Councilman Wilson to come out of Executive Session. All Council voted aye.

Motion made by Councilman Whalen, seconded by Councilwoman Bonamassa to adopt Resolution 2006:198 which authorizes the transfer of ownership of the 1986 Ford Econoline Van to Somerdale Borough as part of the Sewer Line Camera Interlocal Agreement. All Council voted aye by roll call vote with the exception of Councilmen D'Amico and DePrince who voted no.

Motion by Councilman Whalen, seconded by Councilman DePrince to adjourn the meeting. All Council voted aye.



Unofficial Copy

Official copies should be requested through the Borough Clerks Office by completing an Open Public Record Act Request Form. Contact us at (856)783-1520 for additional information.