

**BOROUGH OF FOLSOM
TELECONFERENCE COUNCIL MEETING
MINUTES
June 9, 2020**

**MEETING WAS CONDUCTED VIA TELECONFERENCE DUE TO COVID-19
RESTRICTIONS**

MEETING CALLED TO ORDER: 6:10PM

SALUTE TO THE FLAG LED BY Mayor Greg Schenker

OPENING STATEMENT: Adequate notice of this meeting has been given in accordance with the directives of the “Open Public Meetings Act”, pursuant to Public Law 1975, Chapter 231. Said notice of this meeting has been advertised in the Hammonton Gazette and has been posted on the Borough Hall front door showing the time, place and teleconference instructions of said meeting.

TELECONFERENCE ROLL CALL: Councilpersons: Conway, Jantz, Porretta, Arena, Hoffman and Blazer

Also present teleconference: Mayor Greg Schenker, Attorney John Carr and Jen Heller (Vince Poistina & Assoc.)

Mayor Schenker asked for a moment of silence on the passing of resident John Tomlin

Mayor Schenker presented Jake Blazer with the “Citizen of the Year “award.

APPROVAL OF THE COUNCIL MEETING MINUTES FROM May 12, 2020

A motion to approve the minutes was made by Councilman Conway and seconded by Councilman Porretta

There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC: No Comments

CLERK’S CORRESPONDENCE:

Borough Hall will be closed on July 3, 2020 in observance of Independence Day.

ORDINANCES: (Adoption/Second Reading)

**ATLANTIC COUNTY, NEW JERSEY
BOROUGH OF FOLSOM
ORDINANCE 05-2020**

**AN ORDINANCE OF THE BOROUGH OF FOLSOM, CHAPTER 166 STREETS AND SIDEWALKS,
ARTICLE V STREET VACATION REQUESTS**

BE IT ORDAINED by the Mayor and Council of the Borough of Folsom, County of Atlantic and State of New Jersey as follows:

1. **Request for Street Vacation**

Any person seeking the vacation of a street pursuant to N.J.S.A. 40:67-1 et. seq. shall make such request to the Borough Clerk, in writing. The writing shall include a certified list of property owners within 200 ft. of the portion of the street in question, a list of the reasons for the request and a graphic depiction of the location of the subject street portion. The written request shall also include copies of the appropriate tax map as well as a key map of the surrounding area showing the network and indicating which road portions are open to traffic. The written request shall also include a Tax Collector's certification that the applicant's parcel is current as to Borough taxes. The written request shall be made together with the filing fee and escrow. A consent from all affected adjacent landowner(s) shall be submitted with said request. The consent shall include the adjustment landowner(s) street address, block and lot number.

2. **Agency Review**

Upon receipt of the request and consents, the Borough Clerk shall forward same to the following:

- a. Borough Solicitor
- b. Borough Engineer
- c. Public Works Director
- d. Planning Board Chairman
- e. Planning Department Secretary
- f. Recreation Department

The Clerk shall request that each of the above determine whether the roadway is needed presently or in the future Borough land development plans for any public use to include for example storm drainage, recreational facilities, utility right-of-ways or whether the property is under the jurisdiction of Green Acres or some similar entity or has ever been used for recreational purposes in the past.

3. **Application Fees/ Escrow**

The applicant shall pay an application fee of \$250.00 and place an escrow of \$250.00 to cover professional fees and costs incurred by the Borough in reviewing and processing the application pursuant to New Jersey municipal development escrow law. In addition, the applicant's escrow shall reimburse the Borough for costs incurred in preparation, review, publication and recordation related to the Vacation Ordinance. Said sums due and

owing shall be certified to the Borough Clerk, the Borough Solicitor and Borough Engineer. The Borough Clerk shall further certify the costs of public advertising and recording fees. The total amount due and owing for reimbursement for the legal, engineering, publication and recording fees shall be paid by the applicant prior to the final adoption of the Vacation Ordinance.

4. **Application Consideration**

At the time of the fact finding hearing related to the vacation request before the Planning Board, the applicant shall provide proof of notification to the property owners on the certified property list either by certified mail or personal service at least ten (10) days prior to the hearing on the application. Proof of publication of the notice of hearing at least ten (10) days prior to the hearing shall be provided at the time of the fact finding hearing to the satisfaction of the Planning Board Secretary.

5. **Preparation and Submission of Documentation**

Prior to preparation of the Vacation Ordinance by the Borough Engineer, the applicant shall prepare or have prepared on its behalf the following:

A. Title search of the area to be vacated and the adjacent landowner's properties for determination on the means in which the Borough acquired its interest in the roadway. Said title searches shall be forwarded to the Borough Solicitor for his review.

B. Survey maps and metes and bounds descriptions of the area to be vacated and the method of division of the vacated property subsequent to adoption of the Ordinance. The survey map shall indicate all existing encumbrances, drainage facilities, utility locations and any other topographical feature pertinent to the area to be vacated. The maps shall depict the portions of the street or right-of-way to be conveyed to each abutting property owner having interest in the title to the centerline of the street to be vacated, unless the title searches disclose that the interest in title is otherwise. In that event, it shall show to the appropriate line required, based upon the chain of title, of the street to be vacated. The description for all of the vacated streets shall be prepared by metes and bounds for the Vacation Ordinance. All maps shall be prepared in accordance with "Subchapter 5. Land Surveyors; Preparation of Land Surveys – 13:40-5.1 and all amendments thereto which was adopted May 5, 1977." This document was published in the Roster of Licensed Professional Engineers and Land Surveyors, September 30, 1978, prepared by the State of New Jersey, Department of Law and Public Safety. The ending statement of the vacation description shall include the following wording:

"The above description is and is intended to be all of that portion of as shown on the official tax map of the Borough of Folsom. It is further intended that all rights of the public which may exist are to be vacated within the portion of the right-of-way described, reserving thereout and therefrom all rights and privileges now possessed by public and private utilities to maintain, repair and replace their existing facilities in, adjacent to, over or under the roadway

being vacated, including but not limited to, gas, water, cable, telephone, electric, sanitary sewers, storm sewers and any appurtenances and rights of ingress and egress relating thereto. The description has been prepared in accordance with the map entitled _____.”

6. **Adoption Process**

Upon certification by the Borough Solicitor and Borough Engineer that all necessary documents are in order, the Borough Solicitor shall prepare a Vacation Ordinance for discussion and introduction by the Borough Council. The Borough Council shall adhere to the procedures set forth in N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40:49-2 with regard to introduction, publication, public hearing and adoption of said Ordinance. In addition, the Borough Clerk, after introduction of said Ordinance, shall notify by certified mail, return receipt requested, all adjacent and adjoining property owners within 200 ft. of the proposed road vacation area, of the introduction of the Ordinance and advise them of the date of public hearing at which they may attend and make their comments known. Upon adoption of the Ordinance, the Borough Clerk shall record same with the County Clerk of the County of Atlantic as required by law. Upon certification from the County Clerk that the Ordinance has been recorded, the necessary tax records shall be revised by the Borough Assessor and the vacation indicated on the tax map of the Borough of Folsom.

7. **Additional Provisions**

The obligation of the Borough with regard to the adopted Vacation Ordinance shall cease with its recording of same with the Borough Clerk’s Office and updating of its tax map. In the event that the applicant or the adjacent property owners who may receive an interest in the vacated area wish to have a Deed prepared evidencing the property vacated, such Deed shall be the obligation of the owner acquiring title to said portion of the roadbed. In the event that any such Deed is prepared, it shall describe, by metes and bounds, the original property, including within the description that portion of the street being incorporated with the owner’s original land holdings. The Deed shall contain a reference to the new tax lot number created and assigned to the combined lot and the road vacation area as determined by the Borough Assessor. It shall also include a reference to the survey map upon which the Deed description is based and a reference to the Ordinance number by which the portion of the street was vacated. The Deed shall be transferred by the owner to themselves.

Section One. Repealer. All former Ordinances of the Borough of Folsom which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance.

Section Two. Severability. If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

Section Three. This Ordinance shall take effect after final approval and publication as required by law.

NO PUBLIC COMMENT

A motion to approve Ordinance#5-2020 was made by Councilman Jantz and seconded by Councilman Porretta

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
ORDINANCE #06-2020**

BOND ORDINANCE APPROPRIATING FOUR HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$459,000) AND AUTHORIZING THE ISSUANCE OF FOUR HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$436,000) IN BONDS OR NOTES FOR VARIOUS CAPITAL IMPROVMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FOLSOM, IN THE COUNTY OF ATLANTIC, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FOLSOM, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment.

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by Borough of Folsom, County of Atlantic, New Jersey (hereinafter referred to as the "Borough"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FOUR HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$459,000), including the aggregate sum of TWENTY-THREE THOUSAND DOLLARS (\$23,000) which is hereby appropriated from the Capital Improvement Fund of the Borough as the down payments for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the Borough for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. Authorization of Bonds.

For the financing of said improvements or purposes and to meet the part of said FOUR HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$459,000) appropriation not otherwise provided hereunder, negotiable bonds of the Borough are hereby authorized to be issued in a principal amount not to exceed FOUR HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$436,000) pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Borough in a principal amount not to exceed FOUR HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$436,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3: Description of Projects.

The improvements and acquisitions hereby authorized and the purposes of the financing for which said obligations are to be issued, the estimated cost of each purpose and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Purchases of Various Equipment for Public Works Department.	\$200,000	\$180,500
(b) Various Improvements to Municipal Facilities, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$27,000	\$25,600
(c) Construction of Various Recreation Improvements, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$42,000	\$39,900
(d) Various Municipal Roadway Improvements including, design costs, the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing,		

driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the Borough Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.

\$200,000

\$190,000

TOTALS:

\$459,000

\$436,000

Section 4. Authorization of Notes.

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Borough in a principal amount equal to the said principal of bonds not exceeding FOUR HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$436,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Borough Council at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law.

The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The signature of the Chief Financial Officer upon said note(s) shall be conclusive evidence of such determination.

Section 5. Additional Matters.

The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is **12.82 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and an executed copy has been electronically signed and filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by **FOUR HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$436,000)**, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding **SIXTY THOUSAND DOLLARS (\$60,000)** in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the construction or acquisition of the improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 6. Capital Budget.

The applicable capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and available for public inspection.

Section 7. Ratification of Prior Actions.

Any action taken by any officials of the Borough in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants.

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used

Section 9. Full Faith and Credit.

The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures.

The Borough reasonably expects to reimburse any expenditure towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or by any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 11. Financial Disclosure Requirements.

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the

“Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 12. Effective Date.

This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

NO PUBLIC COMMENT

A motion to approve Ordinance#6-2020 was made by Councilman Conway and seconded by Councilman Arena

There was a roll call vote with ayes all.

RESOLUTIONS:

**BOROUGH OF FOLSOM
RESOLUTION 2020-56**

**A RESOLUTION OF THE BOROUGH OF FOLSOM
AUTHORIZING THE SALE OF BOROUGH OWNED
LAND**

WHEREAS, the property identified as Block 2202, Lot 11 is owned by the Borough of Folsom and is not needed for public purposes; and

WHEREAS, it is in the best interest of the Borough to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, it is in the best interest of the Borough to advertise this land for public sale to the highest bidder in accordance with N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, as follows:

1. The Borough Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Borough’s right, title and interest in and to the property located at Block 2202, Lot 11 pursuant to the provisions of N.J.S.A. 40A:12-13.

2. The minimum bid for Block 2202, Lot 11 is one thousand three hundred dollars and no cents (\$1300.00). No bid less than the minimum amount set forth will be considered.
3. The Borough Clerk is authorized to notify by letter the contiguous owners of record in accordance with the current tax assessments and to advise each such contiguous owner of the lot being offered for sale. The failure, however, to notify any contiguous owner shall not invalidate the sale. The Borough Clerk is further authorized to notify by letter or telephone any other property owners, real estate developers, builders, real estate brokers and agents, and other potentially interested parties and other potentially interested parties as the Borough Clerk may deem appropriate.
4. The property being offered for public sale hereunder is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth in paragraph 2 above, with the Borough Council reserving the right to accept or reject or otherwise remove the lot from sale. The public sale shall take place on July 13, 2020 at 6:00p.m. at the Folsom Borough Hall, 1700 12th Street (Route 54) Folsom, NJ 08037. Bids shall be received by the Borough Clerk in accordance with procedures to be announced by the Borough Clerk. A deposit by certified check, bank check or money order made payable to the Borough of Folsom in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The Clerk may by the announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interested parties.
5. All bids shall be referred to the Borough Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the Borough reserves the right to accept the highest bid or to reject any and all bids for any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.
6. The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title, not to exceed \$150.00. The balance of the purchase price, together with cost of preparation of the deed of conveyance and related documents for the transfer of title must be paid by certified check, bank check or money order made payable to the Borough of Folsom and provided to the Borough Clerk within ten (10) days of the date of sale. The successful bidder shall be responsible for the recording of the deed and for the cost of such recording.
7. A bargain and sale deed without covenants shall be delivered at the Office of the Borough Clerk on or before 45 days after the sale. The Mayor and Borough Clerk are hereby authorized to execute said deeds and other conveyance documents and the Borough Attorney is authorized to prepare such deeds and documents.
8. In addition to the terms and conditions set forth herein, the successful bidders agree to the imposition of the following conditions by the Borough:

- a. In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Borough any and all monies deposited with the Borough.
 - b. The Borough does not warrant or certify title to the property and in no event shall the Borough be liable for any damages to the successful bidder if title is found defective or unmarketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Borough, the sole remedy being the right to receive a refund prior to closing a title of the deposit paid and in the event title is found defective or unmarketable. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Borough shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.
 - c. The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Borough of Folsom, and the reservation of an easement for all natural or constructed drainage systems, swales, pipes, drains, inlets, waterways and easements, if any, on the land and a continued right of maintenance and flow thereof. The Borough shall be without obligation to provide access, public or private, or to provide any improvements.
 - d. The deed will contain a covenant that neither the purchaser nor any future owner or potential developer of the lot may assert a claim against the Borough of Folsom based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.
 - e. The Borough makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.
9. The Borough Clerk, the Mayor and the Borough Attorney are authorized to prepare and execute any and all such documents and to take any and all such actions as may be required to effect the transactions set forth herein.
 10. The Borough Clerk shall file with the Director of Local Government Services in the Department of Community Affairs any required affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(b).

11. The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Borough of Folsom.
12. All potential sales are subject to final approval by the Borough Council.
13. The Borough reserves the right to waive any and all defects, informalities and irregularities in any bid. The Borough further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, readvertise the property for sale. No bid shall be considered finally accepted until confirmed by the Borough Council.

BE IT FURTHER RESOLVED, that if any section, paragraph, subsection, clause or provision of this Resolution shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Resolution shall be deemed valid and effective;

A motion to approve Resolution #2020-56 was made by Councilman Jantz and seconded by Councilman Porretta

There was a roll call vote with ayes all

**RESOLUTION 2020-57
BOROUGH OF FOLSOM**

A RESOLUTION ACCEPTING THE ENGINEER'S PROPOSAL FOR DESIGN SERVICES FOR THE RESURFACING OF OF LAKE DRIVE & N. PINWOOD DRIVE

WHEREAS, a proposal for design services for the Resurfacing of Lake Drive & N. Pinwood Drive has been submitted by Polistina & Associates, LLC for approval of the council.

WHEREAS, the professional services are as follows:

- | | |
|---|-------------|
| ○ Total Tasks 1-6 Design Services | \$19,500.00 |
| ○ Total Tasks 7-8 Construction Services | \$32,500.00 |
| ○ Total Tasks (not to exceed) | \$52,000.00 |

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the proposal for design services submitted by Polistina & Associates LLC is accepted and authorization is given for the Resurfacing of Lake Drive & N. Pinwood Drive

A motion to approve Resolution #2020-57 was made by Councilman Arena and seconded by Councilman Blazer

There was a roll call vote with ayes all

**BOROUGH OF FOLSOM
RESOLUTION #2020-58**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF
KRISTOPHER J. FACENDA, ESQUIRE AS
MUNICIPAL ATTORNEY FOR THE BOROUGH OF FOLSOM**

WHEREAS, N.J.S.A. 40A:9-139 requires that every municipality appoint a municipal attorney.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, in the County of Atlantic and State of New Jersey as follows:

1. That the Mayor and Borough Council of the Borough of Folsom are hereby authorized to execute the agreement with Kristopher J. Facenda, Esquire, for a term until December 31, 2020 in accordance with N.J.S.A. 40A:9-139.
2. A copy of this Resolution shall be published in the Hammonton Gazette within 10 days of its passage, and shall be available for public inspection along with the contract in the office of the Folsom Municipal Clerk.

A motion to approve Resolution #2020-58 was made by Councilman Hoffman and seconded by Councilman Arena

There was a roll call vote with ayes all

**BOROUGH OF FOLSOM
RESOLUTION NO. 2020-59**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NJDOT FOR THE FOLSOM BOROUGH BIKE PATH EXTENSION PROJECT**

NOW, THEREFORE, BE IT RESOLVED, that Council of Folsom Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as BIKE 2021-Folsom Borough -00023 to the NJDOT on behalf of Folsom Borough

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of Folsom Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement
Certified as a true copy of the Resolution adopted by the Council on this 9th day of June, 2020

A motion to approve Resolution #2020-59 was made by Councilman Blazer and seconded by Councilman Arena

There was a roll call vote with ayes all

**BOROUGH OF FOLSOM
RESOLUTION NO. 2020-60**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NJDOT FOR THE 2021 FOLSOM BOROUGH ROAD PROGRAM PROJECT**

NOW, THEREFORE, BE IT RESOLVED, that Council of Folsom Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021 FOLSOM BOROUGH -00309 to the NJDOT on behalf of Folsom Borough

BE IT FURTHER RESOLVED that Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of Folsom Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement
Certified as a true copy of the Resolution adopted by the Council on this 9th day of June, 2020

A motion to approve Resolution #2020-60 was made by Councilman Porretta and seconded by Councilman Arena

There was a roll call vote with ayes all

SOLICITOR'S REPORT: John Carr reviewed his solicitor's report with Council.

FIRE CHIEF REPORT: No fire report

ENGINEER'S REPORT:

NJDOT FY2019 Municipal Aid Project:

The Contractor has the final punch list items to address including the driveway aprons and shoulder restoration. The core samples have been completed and meet the requirements. Once the project is complete and upon the final inspection by the DOT, we will begin to close out the project.

NJDOT FY2020 Municipal Aid Project:

There is a resolution on tonight's agenda to approve our proposal for the design and construction management of the FY2020 Municipal Aid Project (Resurfacing of Lake Drive and N. Pinewood Drive). Once the proposal is approved, we will schedule the surveying of the area and begin the project, and we would anticipate paving these streets in Fall 2020.

NJDOT FY2021 Municipal Aid Project:

There are two resolutions on tonight's agenda for authorization to submit the FY2021 NJDOT

Municipal Aid and Bikeway grants. We need to determine which roadways should be the subject of this year's application. Some suggestions are Cherokee Road, Seneca Lane, Erie Road and Lenape Terrace area and Park Avenue, and Eighth Street (between the Black Horse Pike and the bridge).

Penny Pot Park Senior & ADA Exercise Equipment Project:

The Borough has \$44,557.62 in CDBG funding available to construct the improvements at Penny Pot Park. The plan proposes the installation of the footings for 6 pieces of equipment and the installation of the poured-in-place rubber surfacing. The Borough currently owns four pieces of senior and ADA accessible outdoor exercise equipment and with the intent to purchase two additional pieces. So far, prices for two pieces from Greenfields Outdoor Exercise Equipment has been negotiated at \$10,000 including delivery to New Jersey and we are waiting on quotes for equipment from GameTime. The plans and specs will be out for bid with a bid opening date of early July.

MAYOR'S REPORT: Mayor Schenker thanked everyone for their donations to Folsom Strong. Greg reported on the donation and how they will be distributed.

COUNCIL MEMBER'S REPORTS:

Councilman Conway: Greg read the Public Works Department monthly report

Councilman Jantz: no report

Councilman Porretta: no report

Councilman Arena: no report

Councilman Hoffman: no report

Councilman Blazer: Jake reported on the last Parks & Rec Commission meeting

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY:

OPEN TO THE PUBLIC: NONE

PAYMENT OF BILLS IN THE AMOUNT OF: \$199,436.85

A motion to approve payment was made by Councilman Porretta and seconded by Councilman Conway

Mayor Schenker reminded the public that all other monthly reports are on file in the minute book and to please visit the Borough website with updated information along with the Folsom Borough Facebook Page.

The next regular meeting of Mayor and Council will be held on Tuesday, July 14, 2020 starting with the workshop meeting at 6:00 pm and continuing immediately thereafter with the regular meeting at Borough Hall, 1700 12th Street, Folsom, NJ.

With no other discussion the meeting was adjourned at 7:10PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

