

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
November 9, 2021**

MEETING CALLED TO ORDER: 7:30PM

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 bulletin board showing the time and place of said meeting.*

ROLL CALL: Councilpersons: Conway, Porretta, Norman, Hoffman and Blazer

Absent: Councilman Whittaker

Also present: Mayor Greg Schenker, Attorney Angela Costigan and Jen Heller (Vince Poistina & Assoc.)

Mayor Schenker asked for a moment of silence on the passing of Joel Spiegel, Planning/Zoning Board member and the 2016 Citizen of the Year.

APPROVAL OF THE WORKSHOP MEETING MINUTES from October 12, 2021

A motion to approve the minutes was made by Councilman Blazer and seconded by Councilman Norman

There was a roll call vote with ayes all.

APPROVAL OF THE REGULAR MEETING MINUTES from October 12, 2021

A motion to approve the minutes was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC: No Comments

Clerk's Correspondence:

Borough Hall will be closed on November 11, 2021 in observance of Veterans Day

Last E-Waste Drop-Off day for 2021 is scheduled for November 13, 2021 from 8:00am to 1:00pm

Our first annual Veterans Day ceremony will be held on November 14, 2021 at 9:00Am at Borough Hall.

Borough Hall will be closed on Thursday, November 25th & Friday, November 26, 2021 in observance of Thanksgiving

The Annual Christmas Tree Lighting will be held on December 2, 2021 at 7:00pm.

ORDINANCES: (*Second Reading/Adoption*)

BOROUGH OF FOLSOM

ORDINANCE# 14- 2021

**AN ORDINANCE AMENDING CHAPTER 152 OF THE CODE OF THE
BOROUGH OF FOLSOM**

WHEREAS, the Council of the Borough of Folsom wishes to amend the Code of the Borough of Folsom which established a registration requirement for its rental properties; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Council of the Borough of Folsom may amend its ordinances in order to preserve the public health, safety and welfare of its residents.

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

Section 1. Chapter 152 is amended as follows:

§152-3 Landlord Registration Form.

- a. The owner of every rental unit in the Borough of Folsom shall file a Landlord Registration Form with the Clerk or designee. Persons who qualify as a senior citizen and occupy a property while renting one to two units of the same property will be required to register but will not be required to pay the fee. When providing a copy of same to any other person or entity requesting same, the Borough Clerk, Construction Code Office and all other Departments of the Borough of Folsom shall redact the names and addresses, age and gender of the tenants.

§152-6 Issuance of a Landlord Registration Certificate.

- 1. Upon the filing of a completed Landlord Registration Form, payment of the prescribed fee and a satisfactory inspection, when required and as necessary, the owner shall be entitled to the issuance of a Certificate commencing on the date of issuance and expiring on the anniversary of the initial registration. A Landlord Registration Form shall be required for each rental unit, and a Landlord Registration Certificate shall be issued to the owner for each rental unit, even if more than one rental unit is contained in the property.

§152-8 Fees.

- 1. Landlord Registration Certificate.....\$50.00
- 2. Landlord Registration Certificate Annual Renewal.....\$50.00
- 3. Landlord Registration Certificate-Change in Ownership.....\$50.00

4. If the owner of a property is a senior citizen of 65 years and older and Rents out one or two units of one property.....no fee
5. If any fee is not paid within 30 days of its due date, a late fee of \$30.00 shall be imposed

Section 2. Inconsistent Ordinance Repealed. Should any provision of this Ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of such prior ordinances are hereby repealed, but only to the extent of any inconsistencies.

Section 3. Invalidity. In the event that any provision of this ordinance or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this Ordinance are declared to be severable.

Section 4. Captions. Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

Section 5. Effective date. This Ordinance shall take effect upon passage and publication

A motion to approve Ordinance# 14-2021 was made by Councilman Norman and seconded by Councilman Hoffman

There was a roll call vote with ayes all.

Mayor Schenker asked Council if anyone would like to remove a resolution from Consent Agenda.

Resolution 2021-88 was tabled.

Consent Agenda: All matters listed under Consent Agenda, are considered to be routine by this Borough Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

RESOLUTIONS:

RESOLUTION #2021-94

**BOROUGH OF FOLSOM
STATE OF NEW JERSEY
COUNTY OF ATLANTIC**

A RESOLUTION TO AFFIRM THE BOROUGH OF FOLSOM'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of The Borough of Folsom to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Folsom has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE, BE IT ADOPTED by the (Mayor and Council of the Borough of Folsom) that:

Section 1: No official, employee, appointee or volunteer of the Borough of Folsom by whatever title known, or any entity that is in any way a part of the Borough of Folsom shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Folsom's business or using the facilities or property of the Borough of Folsom.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Folsom to provide services that otherwise could be performed by the Borough of Folsom.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor and Council shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor and Council shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Folsom as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Mayor and Council shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor and Council shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Folsom. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Folsom's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Folsom in order for the public to be made aware of this policy and the Borough of Folsom's commitment to the implementation and enforcement of this policy.

RESOLUTION #2021-95
Resolution Adopting Handbook

WHEREAS, it is the policy of the Borough of Folsom to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work act, the fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters), the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Borough of Folsom has determined that there is a need for a handbook to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Borough of Folsom that the Handbook attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that this Handbook shall apply to all Borough officials, appointees, employees, volunteers and independent contractors.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Folsom shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Borough Clerk and the CFO and all managerial/supervisory personnel are responsible for these employment practices. The Borough Attorney shall assist the Borough Clerk and CFO in the implementation of the policies and procedures in this handbook.

**Borough of Folsom
RESOLUTION NO. 2021-96**

ROCK SALT CONTRACT AWARD

WHEREAS, pursuant to the Lead Agency of the Atlantic County Cooperative #41-ACC, advertising for sealed bids to be publicly opened and read aloud for furnishing and delivering Rock Salt for the 2021-2022 contract year, and;

WHEREAS, the winning bid was submitted by Atlantic Salt, Inc. 134 Middle St. Ste. 210 Lowell, MA at a price of \$71.50 per ton.

WHEREAS, participating members of the Cooperative must award and execute a new contract with the winning bidders;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Folsom that a contract for Rock Salt is awarded to Atlantic Salt, Inc., at a price of \$71.50 per ton. The term of the contract shall be for a period commencing September 1, 2021 and terminating May 31, 2022.

BE IT FURTHER RESOLVED, that the Chief Financial Officer and Borough Clerk are hereby authorized to enter into a contract with Atlantic Salt, Inc. and sign the necessary agreements as representatives of Folsom Borough.

There is no certification of the Chief Financial Officer attached hereto because this contract was bid as an open-ended contract and, pursuant to N.J.A.C. 5:30-14.5(c)(2)(ii), funds will be certified and encumbered on individual purchase order forms when submitted to the Purchasing Agent.

**RESOLUTION 2021-97
BOROUGH OF FOLSOM**

**A RESOLUTION ADDING DECEMBER 31, 2021 TO THE 2021 LEGAL HOLIDAYS
FOR THE BOROUGH**

WHEREAS, the following day will be observed in the Borough of Folsom as a Legal Holiday:

DECEMBER 31, 2021

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

RESOLUTION # 2021-98

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND
BETWEEN THE BOROUGH OF FOLSOM AND PROPERTY REGISTRATION
CHAMPIONS, LLC FOR THE REGISTRATION OF RENTAL PROPERTIES WITHIN
THE BOROUGH**

WHEREAS, the Borough of Folsom wishes to ensure the health, safety and welfare of its residents; and

WHEREAS, the Borough has a large number of rental properties that may be in violation of the property maintenance code and ordinances of the Borough; and

WHEREAS, Property Registration Champions, LLC wish to enter into an agreement with the Borough to provide services authorized pursuant to ordinance, to register rental properties so that the Borough can properly address any violations of the Borough's property maintenance code.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, County of Atlantic and State of New Jersey that the Mayor and Clerk of the Borough of Folsom are hereby authorized to execute an agreement with the Property Registration Champions, LLC to provide services pursuant to ordinance to register rental properties within the Borough.

**BOROUGH OF FOLSOM
Resolution# 2021-99**

**A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE
2021 LOCAL MUNICIPAL BUDGET PER N.J.S.A. 40A: 4-58**

WHEREAS, NJSA 40A:4-58 provides that appropriation transfers may be made during the last two months of the year;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom,

County of Atlantic, State of New Jersey that the following transfers be made:

<u>Account Description</u>	<u>Account Number</u>	<u>From</u>	<u>To</u>
Clerk - Other Expenses	01-20-120-020		2,000.00
Legal Services & Costs - Other Expenses	01-20-155-020		6,000.00
Employee Health Insurance	01-23-220-092	15,000.00	
Public Works - Salaries & Wages	01-26-290-010	5,000.00	
Public Works - Other Expenses	01-26-290-020	9,000.00	
Reserve for Snow Removal	01-26-300-000		5,000.00
Public Buildings & Grounds - Other Expenses	01-26-310-020		5,000.00
Vehicle Maintenance	01-26-315-000		3,000.00
Parks & Recreation - Other Expenses	01-28-370-020		1,000.00
Park Commission - Other Expenses	01-28-375-020		2,000.00
Solid Waste Disposal Costs - Other Expenses	01-28-375-020		5,000.00
TOTAL		29,000.00	29,000.00

**RESOLUTION 2021-100
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PURCHASE OF A TOW-BEHIND BOOM LIFT**

WHEREAS, the Borough of Folsom has a desire to purchase a tow-behind boom lift as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer/Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, three proposal have been submitted, and the proposal submitted by Norris Sales Company, Inc. dated October 15, 2021 is the lowest responsible proposal for a gas powered 50' tow behind boom list at a total price of \$43,950.00 and

WHEREAS, Norris Sales Company, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Norris Sales Company, Inc. has not made any reportable contributions to a political party or candidate for Council in the Borough of Folsom in the previous one year, and that the contract will prohibit Norris Sales Company, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the funds will be encumbered by purchase order and charged to Ordinance Nr. 13-2021, account C04-55-926-000 and the USDA Grant Account G-02-40-857-000.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Folsom authorizes the Borough Clerk to enter into a contract with Norris Sales Company, Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**RESOLUTION 2021-101
BOROUGH OF FOLSOM**

A RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF PROPERTY TAXES

WHEREAS, it has come to the attention of the Tax Collector that an overpayment have been made to the properties listed below and a refund will be given to:.

<u>NAME</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>
CoreLogic	101/4	\$1,270.58
Corelogic	1602/10.01	\$3,021.41
Corelogic	3401/18	\$1,743.67

Whereas, the total amount to be refunded to Corelogic is \$6,035.66

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, that the overpayment of the 2021 property taxes will be refunded.

**BOROUGH OF FOLSOM
Atlantic County, New Jersey**

RESOLUTION # 2021-102

A RESOLUTION ACCEPTING BIDS FROM THE PUBLIC SALE OF NON-CONFORMING LOTS

WHEREAS, the Borough of Folsom is the owner of certain real property located on Block 3406 Lots 7,8 and 9 which properties were not needed or required for municipal use; and

WHEREAS, the lots are less than the minimum size required for development under the municipal ordinance and are without capital improvements; and

WHEREAS, a public sale was held on October 27,2021 pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, Block 3406 Lots 7, 8 and 9 were bid; and

WHEREAS, the Council of the Borough of Folsom deems it in the best interests of the residents of the Borough of Folsom to accept the bids and sell the properties in accordance with the provisions of N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Folsom that the bids for Block 3406 Lots 7,8 and 9 are accepted and that the properties be sold.

BE IT FURTHER RESOLVED that the Clerk and the Mayor are authorized to execute any and all Closing Documents to Effectuate the Sales.

A motion was made by Councilman Norman to approve Resolutions 2021-94 thru 2021-102 and seconded by Councilman Hoffman.

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: *Ms. Costigan reported on the updated agreement with the Collings Lakes Fire Department.*

FIRE CHIEF REPORT: *Councilman Norman read report.*

ENGINEER'S REPORT:

NJDOT FY2022 - Resurfacing of S. Pinewood Drive, Evergreen Drive, Lake Drive, etc.

The Borough has been awarded a grant in the amount of \$285,000 to resurface Evergreen Drive, South Pinewood Drive, and the remainder of Lake Drive. We will begin the survey work later this year and complete the design

NJDOT FY2021 - Resurfacing of Park Avenue

The contractor has indicated that the drainage improvements will begin on Monday, November 15, 2021. Paving will follow the 30-day minimum settlement period. The Borough and the residents will be notified prior to the work beginning on Park Avenue.

South River Drive

The collapsed pipe at South River Drive and Pine Street has been repaired.

Eighth Street Bridge

The DEP recently issued the required land use permits for the bridge construction. The bridge is still closed. A full detour for Eighth Street continues to be in effect indefinitely.

Mayor's Report: *Mayor Schenker reminded everyone about the upcoming Veterans Day Ceremony and gave his condolences to the Spiegel family.*

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Conway: *no report*

Councilman Norman: *Al asked if there was anything that Council could do to have the fines raised for property violations. A discussion ensued.*

Councilman Porretta: *no report*

Councilman Whittaker: *absent*

Councilman Hoffman: *no report*

Councilman Blazer: *Jake reported that the Community Garden is closed for the season and he thanked all residents that were involved with the Garden. Jake stated that the December Parks & Rec meeting will start at 6:00PM instead of 6:30PM. Jake congratulated Councilman Conway and Councilman Norman on their re-elections wins. Jake also congratulated Councilman Hoffman on his new grandson.*

PUBLIC COMMENTS: *Diane Eby-1213 Mays Landing Rd. stated that she just returned from an American Legion Meeting and they thanked Council for inviting them to the Ceremony on Sunday.*

PAYMENT OF BILLS IN THE AMOUNT OF: \$527,906.52

A motion to approve payment was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

Mayor Schenker reported on a street clean-up on 14th St. on November 27 & 28th.

Mayor Greg Schenker reminded the public that all other monthly reports are on file in the minute book.

The next regular meeting of Mayor and Council will be held on Tuesday, December 14, 2021, 2021 starting at 6:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 8:00 respectfully submitted,

Patricia M. Gatto
Municipal Clerk

