

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
February 13, 2018**

MEETING CALLED TO ORDER: 7:35 PM

SALUTE TO THE FLAG LED BY Mayor DeStefano

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: Smith, Jantz, Pagano, Arena, Hoffman and Schenker

Also present: Mayor Lou DeStefano, Attorney Brian Lozuke, and Engineer Mark Herrmann

APPROVAL OF THE RE-ORGANIZATION MEETING MINUTES

A motion to approve the minutes was made by Councilman Arena and seconded by Councilman Smith

Councilman stated that he felt the minutes were not accurate and made a motion to have the Re-Organization Meeting Minutes sent out to be transcribed verbatim. Councilman Schenker seconded that motion.

Roll Call Vote: Smith-N Jantz-N Pagano-Y Arena-N Hoffman-N Schenker-Y

Councilman Pagano asked for another motion to have the Comcast recording of the Re-Organization meeting held as a permanent record. No second motion.

Roll Call Vote: Smith-Y Jantz-Y Pagano-N Arena-Y Hoffman-Y Schenker-N

APPROVAL OF THE WORKSHOP MINUTES FROM January 9, 2018

A motion to approve the minutes was made by Councilman Smith and seconded by Councilman Arena

Roll Call Vote: Smith-Y Jantz-Y Pagano-N Arena-Y Hoffman-Y Schenker-N

APPROVAL OF THE REGULAR COUNCIL MEETING MINUTES FROM January 9, 2018

A motion to approve the minutes was made by Councilman Smith and seconded by Councilman Jantz

Roll Call Vote: Smith-Y Jantz-Y Pagano-N Arena-Y Hoffman-Y Schenker-Y

APPROVAL OF THE EXECUTIVE SESSION MINUTES FROM January 9, 2018

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

Roll Call Vote: Smith-Y Jantz-Y Pagano-Y Arena-Y Hoffman-Y Schenker-N

Ron Esposito Chairman of Parks & Recreation Committee gave a presentation on the highlights of the past year and the goals for the future.

Ron Esposito was presented with the Mayor's 2017 Citizen of the Year Award.

Mayor DeStefano introduced Lt. Dave Liberto from the New Jersey State Police Buena Station. Lt. Liberto encouraged residents to call them with any concerns.

Mayor addressed the residents who were present this evening to discuss their revaluations. Mayor DeStefano informed residents that a two week extension of meeting dates and times has been added for the residents to come to Borough Hall to speak with Vital Communications.

MEETING OPEN TO PUBLIC:

Michele Hetzel (**118 Seneca Lane**) wanted to know who to contact if we would like to make an appointment on a Saturday.

Frank Procaccini (**231 Fenimore Dr.**) wanted to know if he heard right and that just because we received a new tax assessment that our taxes won't increase.

Solicitor Brian Lozuke explained the tax assessment process.

Tom Passarello (**100 Lakeview Lane**) asked if anyone sitting on Council's assessment went up \$96,000.00.

Robert Stott(**103 Cains Mill Rd.**) stated that the tax revaluation inspector did not make an attempt to come into his home.

Nick DeRosa (**2001 Lakeshore Dr.**) asked Council to entertain a program to attempt to contact our state representatives because the Governor has come out against School Choice. Mr. DeRosa would like Council to establish a committee to address this issue.

Jake Blazer Oakwood Dr. (**1327 Mays Landing Rd.**) asked if there is some way to have Borough information more assessable to the public. Jake said he hears a lot of negatives about the town but he also hears about a lot of positives and asked everyone to focus on the positives.

CLERK'S CORRESPONDENCE:

Borough Hall Offices will be closed on Monday, February 19, 2018 in observance of Presidents Day.

Next E-Waste Day is March 10, 2018 from 8:00AM to 1:00PM at the Borough Garage

Free Rabies Clinic will be held on March 17, 2018 at Borough Garage from 9:00am until 11:00am. We will be renewing dog/cat licenses at the Clinic.

Reminder: The Clerk's office is opened until 7:00PM on Monday evenings.

ORDINANCES: (Introduction/First Reading)

**BOROUGH OF FOLSOM
ORDINANCE 01-2018**

AN ORDINANCE ESTABLISHING AND FIXING SALARIES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE BOROUGH OF FOLSOM, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

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

SECTION 1. The annual salaries and compensation for the various Borough officials, officers, and employees of the Borough of Folsom, listed below, shall be as follows for calendar year 2018:

<u>Salaried Positions</u>			
Borough Clerk	\$25,000	-	\$50,000
Chief Financial Officer	\$4,000	-	\$16,000
Council Member	\$1,700	-	\$3,000
Code Enforcement	\$1,800	-	\$5,000
Court Administrator	\$20,000	-	\$50,000
Deputy Emergency Management Coordinator	\$500	-	\$1,500
Deputy Borough Clerk	\$15,000	-	\$50,000
Emergency Management Coordinator	\$500	-	\$1,500
Judge (based on 24 sessions annually)	\$1.00	-	\$12,000
Additional sessions (maximum 4)	\$350 per		Session
Mayor	\$2,200	-	\$3,900
Municipal Administrative Assistant	\$15,000	-	\$50,000
Tax Assessor	\$6,500	-	\$15,000
Tax Collector	\$6,500	-	\$17,000
Zoning Official	\$1,800	-	\$5,000
<u>Hourly Positions:</u>		-	
Deputy Court Administrator	\$8.50	-	\$14.50
Municipal Administrative Asst	\$25.00	-	\$75.00 per session
Part-time Laborer	\$9.00	-	\$12.50
Public Works Laborer	\$9.00	-	\$20.00
Superintendent of Public Works	\$10.00	-	\$26.00

SECTION II. The salaries and wages hereby established shall be on a bi-weekly basis with the exception of Mayor and Council, which shall be quarterly, unless otherwise specified.

SECTION III. The provisions of this Ordinance shall be retroactive to January 1, 2018, and shall apply to employees continually employed since January 1, 2018.

SECTION IV. Any Ordinance or part of an Ordinance inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall become effective immediately upon final passage and publication according to law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council in the Borough of Folsom, County of Atlantic and State of New Jersey, held on February 13, 2018. Said Ordinance was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12th St., Folsom, NJ on March 13, 2018 at 6:00 P.M.

Councilman Pagano asked why the Finance Committee doesn't give Council a report on the salary increases. Mayor DeStefano stated that the Finance Committee does not set the salary increases.

Councilman Schenker had some questions regarding positions.

A motion to approve was made by Councilman Smith and seconded by Councilman Arena

NO PUBLIC COMMENT

There was a roll call vote with ayes all.

(Final adoption/second reading)

**BOROUGH OF FOLSOM
ORDINANCE 2- 2018**

AN ORDINANCE OF THE BOROUGH OF FOLSOM, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY ESTABLISHING A SINGLE JOINT MUNICIPAL COURT WITH THE TOWNSHIP OF HAMMONTON; REPEALING AND AMENDING CHAPTER 13 OF THE GENERAL ORDINANCES OF THE BOROUGH OF FOLSOM; AND APPROVING A JOINT MUNICIPAL COURT SHARED SERVICES AGREEMENT FOR THE OPERATION OF THE JOINT MUNICIPAL COURT WITH THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 2B:12-1(b) authorizes the formation of single Joint Municipal Court provided that an Agreement is entered into by the Town of Hammonton and the Borough of Folsom and provided that the Agreement is filed with the State of New Jersey Administrative Director of the Courts and the Assignment Judge of the Superior Court of New Jersey, Atlantic County; and

WHEREAS, the Borough Council of the Borough of Folsom has determined that it is in the best interests of the Borough to establish a Joint Municipal Court with the Town of Hammonton; and

WHEREAS, the Borough of Folsom further desires to enter into an Agreement to form a Joint Municipal Court with the Town of Hammonton and to participate in the Joint Municipal Court with the Town of Hammonton; and

WHEREAS, the aforesaid Joint Municipal Court participants (hereinafter sometimes referred to as the “Participating Municipalities”) wish and desire to establish a Joint Municipal Court upon the terms and conditions established by the Joint Municipal Court Agreement approved by this Ordinance and incorporated herein by reference; and

WHEREAS, the Borough Council of the Borough of Folsom deems it in the best interests of the Borough to accordingly abolish the Municipal Court for the Borough of Folsom and establish a Joint Municipal Court for the Participating Municipalities, to be known as the “Joint Municipal Court of the Town of Hammonton”.

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

Section 1.

The Municipal Court of the Borough of Folsom is hereby abolished and Chapter 13 of the Borough Code is hereby repealed, in its entirety, and amended to read, as follows:

13-1 Establishment.

A Joint Municipal Court is hereby established, pursuant to the provisions of N.J.S.A. 2B:12-1, et. seq., as amended and supplemented, consisting of the Town of Hammonton and the Borough of Folsom. The Joint Municipal court is created in accordance with a certain Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated December 28, 2017, and executed by the Participating Municipalities in January of 2018, and is subject to the terms thereof.

13-2 Name.

The name of the Joint Municipal Court shall be the “Joint Municipal Court of the Town of Hammonton”

Section 2.

This Ordinance shall be effective on or about 12:00 a.m. on February 13, 2018, following due notice as provided in accordance with Section 3 hereof. All summonses, warrants and other matters issuing, arising from or within the jurisdiction of the Borough of Folsom Municipal Court and the other Participating Municipality shall be within the jurisdiction of the Joint Municipal Court of the Town of Hammonton on and after the aforesaid February 13, 2018, including those matters arising prior to such date which have not theretofore been completed.

Section 3.

Written notice of the appeal and abolishment of the Municipal Court of the Borough of Folsom, and the establishment of the Joint Municipal Court of the Town of Hammonton, shall be provided to the Administrative Office of the Courts and the Assignment Judge of the Vicinage, and posted in the Municipal Buildings of the Participating Municipalities at a location where Public Notices are routinely posted.

Section 4.

The purpose of this Ordinance is to establish a single Joint Municipal Court to be located in the Town of Hammonton located at 100 Central Avenue, Hammonton, New Jersey.

Section 5.

The Borough Council of the Borough of Folsom hereby approves of the terms and conditions of the Shared Service Agreement between the Town of Hammonton and the Borough of Folsom to establish the “Joint Municipal Court of the Town of Hammonton” such Agreement

attached hereto and incorporated herein by reference. The Mayor and Clerk of the Borough of Folsom are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Borough.

Section 6.

Under and pursuant to the provisions of N.J.S.A.2B:12-1, et seq., a Joint Municipal Court to be known as the “Joint Municipal Court of the Town of Hammonton” is hereby established.

Section 7.

The Joint Municipal Court of the Town of Hammonton shall have an official seal bearing the impression of the name of the Court.

Section 8.

The jurisdiction of the Joint Municipal Court of the Town of Hammonton shall be coextensive with the Municipal territory of the Participating Municipalities.

Section 9.

In accordance with N.J.S.A.2B:12-4, as amended, the Judge of the Joint Municipal Court of the Town of Hammonton shall be appointed by the Governor with the advice and consent of the Senate, and shall have such qualifications as is now or may be required by law and shall serve for a term of three (3) years from the date of appointment until a qualified successor has been appointed and qualified. Compensation of the Judge shall be at an annual salary and other compensation as is now or hereinafter may be provided by Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement.

Section 10.

The appointment of a Joint Municipal Court Administrator and such number of Deputy Court Administrators shall be appointed as provided consistent with this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement between the Participating Municipalities.

Section 11.

The Joint Municipal Court of the Town of Hammonton staff shall be appointed in a manner consistent with this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement.

Section 12.

Such number of Joint Municipal Court Prosecutors shall be appointed in the manner provided by this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement with a Joint Municipal Court Prosecutor to have such jurisdiction, powers and duties as prescribed by N.J.S.A.2B:25-1, et seq.

Section 13.

Joint Municipal Court Public Defender

(a) Appointment. The Joint Municipal Court Public Defender shall be appointed in a manner consistent with the terms of this Ordinance and in accordance with the terms of the aforesaid Shared Service Agreement, and shall have such jurisdiction, powers and duties as prescribed by N.J.S.A.2B:24-1, et seq.

(b) Representation. Any person applying to the Joint Municipal Court of the Town of Hammonton for representation by a Municipal Public Defender shall, in accordance with the provisions of N.J.S.A.2B:24-17, pay an Application Fee of not more than Two Hundred Dollars (\$200.00), but only in such amount determined by the Joint Municipal Court Judge

which is necessary to pay the necessary costs of Municipal Public Defender's services. The Joint Municipal Court Judge may waive the application of such Fee in whole, or in part, if the Court determines, in its discretion, that the Application Fee represents an unreasonable burden on the person seeking representation. Said determination shall be made in accordance with applicable law and the Rules of Court.

(c) **Alternate Method of Collection.** If payment of Municipal Public Defender Fees is deferred by the Joint Municipal Court Judge, or if the Fee is otherwise unpaid, then each of the Participating Municipalities may endeavor to collect the Fee in a manner authorized by N.J.S.A.40:6A-1 and N.J.S.A.2A:158A-19.

Section 14.

Repealer. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 15.

Severability. If any provision of this Ordinance or the application of this Ordinance to any person, entity or circumstances is held invalid by any Court of jurisdiction, the remainder of such provisions of this Ordinance not so deemed invalid shall remain in full force and effect.

Section 16.

Effective Date. This Ordinance shall only be effective upon the last of the following to occur:

- 1) Its adoption and publication in accordance with law; and
- 2) Approval of the establishment of the Joint Municipal Court by the Administrative Office of the Courts; and
- 3) An Ordinance duly authorized and adopted by the governing body of each of the Participating Municipalities.

No Public Comment

A motion to approve was made by Councilman Smith and seconded by Councilman Arena

Councilman Pagano stated that he felt the process of the Court merger was not handled properly.

Councilman Schenker does not support the numbers that were given to him regarding the savings to the Borough and he has not been given a direct answer regarding tenured employees.

Councilman Pagano stated that he thinks the Court merger should be placed on a referendum for vote.

Councilman Smith read a financial court report prepared by CFO Dawn Stollenwerk.

Councilman Hoffman and Councilman Schenker questioned the loss for the first year, second and third years.

Smith-Y Jantz-Y Pagano-N Arena-Y Hoffman-N Schenker-N Mayor-Y

(Introduction/First Reading)

**BOROUGH OF FOLSOM
ORDINANCE 03-2018**

**CALENDAR YEAR 2018
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Folsom in the County of Atlantic finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$10,370 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Folsom, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Folsom shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$1,121,197 and that the CY 2018 municipal budget for the Borough of Folsom be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council in the Borough of Folsom, County of Atlantic and State of New Jersey, held **on February 13, 2018 and said Ordinance**

was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12th St., Folsom, NJ on March 13 2018 at 6:00 P.M.

A motion to approve was made by Councilman Arena and seconded by Councilman Pagano

There was a roll call vote with ayes all.

RESOLUTIONS:

**RESOLUTION 2018-35
BOROUGH OF FOLSOM**

A RESOLUTION APPROVING THE FILING OF THE 2017 RECYCLING TONNAGE GRANT

WHEREAS, The Mandatory 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 to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection had 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 such tonnage grants (for calendar year 2017) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Folsom to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulation; 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 Council of the Borough of Folsom, County of Atlantic, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates John LaPollo 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.

A motion to approve Resolution #2018-35 was made by Councilman Pagano and seconded by Councilman Jantz

There was a roll call vote with ayes all.

**RESOLUTION 2018-36
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING A CREDIT OF AN OVERPAYMENT OF
PROPERTY TAXES**

WHEREAS, it has come to the attention of the Borough Council that payment has been made in excess in 2017 to the below listed properties; and

WHEREAS, said payments have resulted in overpayment for 2017 property taxes in the amounts listed below as certified by the Borough Tax Collector;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Folsom that the following overpayments be credited to 2018 property taxes;

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2501	342	\$1,802.16
2607	623	\$250.00
2705	736	\$24.64
2705	737	\$24.64
2902	1	\$15,274.37
3102	10	\$159.32

A motion to approve Resolution #2018-36 was made by Councilman Arena and seconded by Councilman Smith

There was a roll call vote with ayes all.

**RESOLUTION 2018-37
BOROUGH OF FOLSOM**

**A RESOLUTION GRANTING A RAFFLE AND BINGO LICENSE TO FOLSOM
EDUCATIONAL FOUNDATION TO BENEFIT THE SCHOOL**

WHEREAS, the Folsom Educational Foundation has applied for a license to conduct an on premise raffle and Bingo to be held on April 20, 2018

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

1. The following facts are hereby found and determined:
 - a) The Applicant is qualified.

- b) The members designed to conduct the games are active members.
 - c) The members designated to conduct the games are of good moral character and have never been convicted of a crime.
 - d) The raffle will be conducted according to the Raffle Licensing Law and the Rules of Legalized Games of Chance Control Commission.
 - e) The entire proceeds are to be disposed of for a purpose permitted by the Raffles Licensing Law.
 - f) There is satisfactory proof that no payment will be made for conducting the raffle or assisting therein except to the extent allowed by the law.
 - g) There is satisfactory proof that the prizes are of the nature and amount allowed by the Raffles Licensing Law.
 - h) The rental to be paid for equipment does conform to the schedule of authorized rental prescribed by the Rules of the Control Commission.
2. The Council is hereby authorized and directed to execute and deliver the proper certificates of the aforesaid Findings and Determinations in the Form prescribed and specified by the Legalized Games of Chance Control Commission.

A motion to approve Resolution #2018-37 was made by Councilman Smith and seconded by Councilman Arena.

There was a roll call vote with ayes all.

**Borough of Folsom
RESOLUTION 2018-38**

**RESOLUTION AUTHORIZING AND APPROVING
GENERAL RELEASE AND SETTLEMENT AGREEMENT**

WHEREAS, Joseph Campellone was a former employee of the Borough of Folsom who has asserted various claims against the Borough of Folsom filed under Docket No.: ATL-L-001357-16 in the Superior Court of New Jersey, Atlantic County; and

WHEREAS, the claims that were or could have been asserted by Mr. Campellone have been amicably resolved, by and on behalf of the respective legal counsel retained by the Borough and Mr. Campellone; and

WHEREAS, Mr. Campellone and the Borough have successfully negotiated an amicable resolution to the aforementioned claims and demands and further desire to forever resolve this matter, without resorting to the expense and uncertainties of protracted litigation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Folsom, that the Borough Council does hereby authorize the execution of the General Release and Settlement Agreement, forthwith after the adoption hereof.

BE IT FURTHER RESOLVED, that the proper Officers of the Borough, as well as the Borough Solicitor and appointed Counsel, are hereby authorized and directed to execute any and all documents required to perfect this Settlement agreed to by and between the parties.

A motion to approve Resolution #2018-38 was made by Councilman Arena and seconded by Councilman Smith.

There was a roll call vote with ayes all.

**Borough of Folsom
Resolution 2018-39**

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That Mayor and Council of the Borough of Folsom, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

A motion to approve Resolution #2018-39 was made by Councilman Arena and seconded by Councilman Hoffman

Smith-Y Jantz-Y Pagano-An Arena-Y Hoffman-Y Schenker-N

**RESOLUTION 2018-40
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING CHANGE ORDERS 1 FINAL TO THE RESURFACING OF
14THTH STREET PROJECT, FY 2016 STATE AID-CONTRACT NO. 21**

WHEREAS, the Borough of Folsom in accordance with the Local Public Contracts Law, N.J.S.A. 40a:1-1 et seq, previously awarded and entered into a contract for the FY 2015 State Aid - Resurfacing of 8th Street-Contract No. 19, a State Aid Project from the New Jersey Department of Transportation with Arawak Paving Company for the resurfacing of a portion of 8th Street in the Borough of Folsom; and

WHEREAS, it has subsequently been determined by the Borough that it will be in the best interests of the Borough and the 8th Street resurfacing project that the scope of the 8th Street resurfacing project be expanded to include an additional 290 LF portion of 8th Street and that such change order is allowed under N.J.A.C. 5:30-11.3; and

WHEREAS, the inclusion in the 8th Street resurfacing project of the additional 290 LF portion of 8th Street is a result of the advantageous fuel and asphalt pricing, and the reduction of several constructed quantities, and allows the Borough to take full advantage of the available state funding; and

WHEREAS, the inclusion of the additional portion of 8th Street and the reduction of constructed quantities in the project does not substantially change the quality or character of the work to be provided by the Contractor; and

WHEREAS, the net decrease in the Contract is \$1,166.77 and the execution of Change Order No. 1 and Change Order No. 2-Final will not cause the originally awarded contract price to be exceeded by more than twenty percent (20%); and

WHEREAS, the inclusion in the 8th Street resurfacing project of the additional portion of 8th Street will allow the additional portion to be addressed in conjunction with the overall 8th Street resurfacing project and will allow the Borough to take full advantage of the available state funding.

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

The change orders are approved for the 8th Street resurfacing project to include an additional portion of 8th Street at a net decrease of \$1,166.77 and for a resulting total Contract amount of \$173,643.93; and

The Mayor and Borough Clerk are hereby authorized to enter into an execute on behalf of the Borough and amendatory contract covering the approved changed, such amendatory contract to be in a form satisfactory to the Borough Attorney.

A motion to approve Resolution #2018-40 was made by Councilman Arena and seconded by Councilman Pagano

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION #2018-41**

**A RESOLUTION TO HIRE A PART-TIME ZONING & CODE ENFORCEMENT
OFFICIAL**

WHEREAS, the need exists to fill the positions of a part-time Zoning Official & part-time Code Enforcement Official; and

WHEREAS, advertisements were duly made, applications were received and interviews were conducted; and

WHEREAS, the Mayor and Personnel Committee have recommended that Alex Bauer be hired to fill both positions.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Body of the Borough of Folsom that Alex Bauer is authorized to be hired as a part-time Zoning Official & part-time Code Enforcement Official, commencing as of January 1, 2018 and ending December 31, 2018, subject to understanding and/or completion of the following:

1. Term: one (1) year
2. Compliance with the Policies and Procedures of the Borough
3. Office hours available to the Public shall be on Monday, 6:00PM to 7:00PM
4. Additional hours as required for attendance at Municipal Court and inspections.

A motion to approve Resolution #2018-41 was made by Councilman Arena and seconded by Councilman Smith

Councilman Schenker suggested that we need to change our Ordinance and Code to go along with this resolution.

There was a roll call vote with ayes all with the exception of Councilman Pagano's abstention.

RESOLUTION 2018-42
BOROUGH OF FOLSOM

**A RESOLUTION AUTHORIZING THE ASSIGNMENT AND ENDORSEMENT OF
CHECKS ON BEHALF OF THE BOROUGH OF FOLSOM BY THE TOWN OF
HAMMONTON FOR MUNICIPAL COURT REVENUE**

WHEREAS, the Borough heretofore entered into a joint municipal court agreement dated December 28, 2017 with the Town of Hammonton pursuant to N.J.S.A. 2B:12-1(b) that was formally memorialized by the adoption of Ordinance 2-2018; and

WHEREAS, the joint municipal court agreement was thereafter approved by the Honorable Julio L. Mendez under correspondence dated January 29, 2018; and

WHEREAS, Paragraph 4(h) of the agreement specifically provides that the Town of Hammonton shall retain all new revenue generated by all cases in the Joint Municipal Court; and

WHEREAS, the Town of Hammonton, as well as the Administrative Office of the Courts, has requested that the Borough formally approve, release, endorse and assign any and all new revenue and/or checks in the name of the Borough of Folsom to the Town of Hammonton consistent with the aforementioned joint municipal court agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Folsom, in the County of Atlantic and the State of New Jersey, that the Borough Council does hereby formally approve, release, assign and authorize the endorsement of all checks for new revenue generated in the name of the Borough of Folsom to the Town of Hammonton consistent with the joint municipal court agreement referenced hereinabove.

A motion to approve Resolution #2018-42 was made by Councilman Arena and seconded by Councilman Jantz

Councilman Pagano asked Brian Lozuke is the legal way to do this and shouldn't this be part of the agreement. Mr. Lozuke explained the resolution.

Smith-Y Jantz-Y Pagano-Y Arena-Y Hoffman-Y Schenker-N

Solicitor's Report: Brian updated Mayor and Council on the Master Plan meeting that he attended along with Councilman Arena, Clerk Patti Gatto, Planning/Zoning Board Secretary Susan Carroll, Planning Board Chairman Charlie Pitale and Borough Engineer Mark Herrmann. Brian thought that the information the State compiled to date was outstanding. The State will give a second presentation to the Planning/Zone Board on February 21, 2018.

Brian reported on the Court merger with Hammonton. Brian stated that there is a tentative date scheduled of March 12, 2018 for Hammonton to retrieve the records in Folsom. Brian also gave a brief overview of the outstanding court fines and how this debt should be handled going forward.

Councilman Pagano inquired about the filing cabinets. Mr. Lozuke stated that Hammonton will need the file cabinets to maintain the records.

Councilman Pagano had a question about the Master Tax Plan and a discussion ensued. Councilman Schenker asked Brian Lozuke if it would be acceptable for him to call the State with any questions he has regarding the master plan.

Fire Chief's Report: Councilman Smith read report.

The following incidents occurred in your community during the month of January 2018.

Jan 8 th Responding	Vehicle Crash	Rt54	20 Members
Jan 10 th Responding	Vehicle Crash	Rt322 & 8 th St.	16 Members
Jan 19 th Responding	Alarm System	Black Horse Pike	14 Members

January is the month where we button up all the loose ends, various training is held with EMS equipment and CPR recertifications are completed. 6month battery swaps take place on our air packs and other equipment that need it. Quite a bit of building maintenance is done, Truck maintenance is either completed or scheduled. Our bid was awarded for a new fire engine. Our new computers were installed in truck needing them which provide mapping along with additional information specific to calls. New fire gear was ordered to replace the older worn out gear.

Just a reminder anyone needing smoke detectors the Fire Department has just received a new batch, so please don't hesitate to ask. Anyone needing them should contact town hall or you can reach us at clfd23.org and we will be glad to get them out. Again anyone wishing to stop by the station members are there every Tuesday night starting at 7pm. You can also check us out on Facebook or Twitter.

ENGINEER'S REPORT: (Mark Herrmann)

ACTION ITEMS

No action items for the month of

CURRENT/NEW PROJECTS

1. BOROUGH ENGINEER TRANSITION

Our office has been in contact with Gary Auer and Vince Polistina from Polistina Associates regarding the

Transition to our office as Borough Engineer. Polistina has provided our office with some information via email, and is preparing additional information to be transmitted on a CD. Additional information provided by Polistina has been included in the project summaries listed in this report.

2. NJDOT FY2018 MUNICIPAL AID APPLICATIONS

Polistina submitted an application for the 2018 Road Program, which consists of the following scope of work:

- Resurfacing of 14th Street from Mays Landing Road to the Hammonton Municipal Boundary;

- Resurfacing of 15th Street from Mays Landing Road to Backline Road;
- Resurfacing of Backline Road from 15th Street to Memory Lane.

We anticipate the NJDOT rendering their decisions in the springtime. In the meantime, I would like to request being added as an Organization Member of the Borough within the NJDOT SAGE grant management system, in order to stay on top of the applications.

3. FY 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Ms. Gatto forwarded a letter from Dennis Levinson, requesting Municipal representation at a meeting on February 20, 2018, to be held by the Atlantic County Urban County Committee. At this meeting, the Atlantic County Improvement Authority will provide program information, applications for funding, and a timeline for the Program's implementation. I will attend the meeting and report to the Mayor and Clerk.

4. MASTER PLAN REEXAMINATION

I attended the kick-off meeting with Mr. Lozuke, Ms. Gatto, members of the Borough Master Plan Subcommittee, and representatives from the Department of Community Affairs (DCA) Local Planning Services (LPS) division. Our office will provide support to this effort as needed. Currently, the LPS has requested information regarding the most current tax and zoning GIS information.

MAYOR'S REPORT: Mayor DeStefano wished everyone a Happy Valentine's Day.

COUNCIL MEMBER'S REPORTS:

Councilman Kyle Smith: Kyle thanked everyone for coming out this evening. Councilman Smith congratulated Ron Esposito on his award. Councilman Smith addressed the flyer that was sent to the residents.

Councilman Ken Jantz: Ken stated that he enjoys working with Ron Esposito. Mr. Jantz gave a breakdown of the bill list \$ 242,434.00 of our taxes goes to Atlantic County and \$311,354.00 goes to Folsom School.

Councilman Pagano: Ben asked for a moment of silence for his brother who passed away this evening. Councilman Pagano congratulated Ron Esposito. Ben also stated that since he's on the Affirmative Action Committee he would like to see a woman awarded the Citizen of the Year someday.

Councilman Arena: Charlie congratulated Ron and thanked him for giving his report tonight. Charlie stated that Ron does so much for Folsom and outside of Folsom.

Councilman Hoffman: Jim congratulated Ron Esposito. Councilman Hoffman reported on the new ADA doors in the entrance way and restrooms.

Councilman Schenker: Greg congratulated Ron Esposito on his award. Councilman Schenker addressed Mr. Blazer's request to have information go out to the public. Greg wished everyone a Happy Valentine's Day.

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY:

OPEN TO THE PUBLIC: No comments

PAYMENT OF BILLS IN THE AMOUNT OF: \$647,395.55

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

There was a roll call vote with ayes all.

Mayor DeStefano 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, March 13, 2018 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.

Mayor DeStefano stated that the March 13, 2018 Council Meeting will be rescheduled to March 6, 2018 and will be advertised.

A discussion ensued over the meeting date change.

There was a motion to adjourn made by Councilman Arena and seconded by Councilman Jantz.

Councilman Schenker questioned whether we need a resolution to approve the change since we had passed a resolution during the Re-Organization meeting listing the meeting dates that was advertised to the public.

Mayor DeStefano called for a motion to change the meeting date from March 13, 2018 to March 6, 2018.

A motion to approve was made by Councilman Smith and seconded by Councilman Jantz.

Roll call vote: Smith-Y Jantz-Y Pagano-N Arena-Y Hoffman-N Schenker-N (Tie) Mayor-Y

With no other discussion the meeting was adjourned at 9:29PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

