

**BOROUGH OF FOLSOM  
COUNCIL MEETING  
MINUTES  
March 8, 2022**

**MEETING CALLED TO ORDER: 7:00 PM**

**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 Atlantic City Press and has been posted on the Borough Hall bulletin board showing the time and place of said meeting.*

**ROLL CALL:** Councilpersons: Conway, Whittaker, Norman, Hoffman and Blazer

**Also present:** Solicitor Angela Costigan and CJ Kaenzig (Vince Polistina & Assoc.)

**Absent:** Mayor Schenker and Councilman Porretta.

**APPROVAL OF THE WORKSHOP MEETING MINUTES from February 8, 2022**

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

*There was a roll call vote with ayes all.*

**APPROVAL OF THE REGULAR MEETING MINUTES from February 8, 2022**

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

*There was a roll call vote with ayes all.*

*Mayor and Council presented Tax Collector, Bert Cappuccio with a plaque, flowers and gift for her thirty-three years of dedicated service to the residents of Folsom and congratulated her on her retirement.*

**MEETING OPEN TO PUBLIC:**

**Kim Johnson** (Mullica Township Clerk) thanked Mayor and Council for honoring Bert Cappuccio on her retirement.

**Carl Cappuccio** (112 Park Avenue) introduced himself to Mayor and Council and reported that he will be starting a democrat party here in Folsom and meetings will be held at Borough Hall.

**Clerk's Correspondence:**

Next E-Waste day is March 12, 2022 from 8:00AM to 1:00PM at the Borough Garage.

Free Rabies Clinic will be held on March 19, 2022 from 9:00AM until 11:00AM at the Borough Garage. We will be renewing dog/cat licenses at the Clinic.

**ORDINANCES: (Second Reading/Adoption)**

**BOROUGH OF FOLSOM  
ORDINANCE 02-2022**

**CALENDAR YEAR 2022  
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 2022 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 \$9,332.44 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 2022 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 \$965,908 and that the CY 2022 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 08, 2022 and said Ordinance was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12<sup>th</sup> St., Folsom, NJ on March 08, 2022 at 6:00 P.M.

**Public Comments: None**

*A motion to approve Ordinance#2-2022 was made by Councilman Norman and seconded by Councilman Whittaker*

*There was a roll call vote with ayes all.*

**BOROUGH OF FOLSOM  
ORDINANCE 03-2022**

**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 2022:

<b>Salaried Positions</b>			
Borough Clerk/Administrator	\$25,000	-	\$65,000
Chief Financial Officer	\$4,000	-	\$20,000
Council Member	\$1,700	-	\$3,000
Code Enforcement	\$1,800	-	\$10,000
Deputy Emergency Management Coordinator	\$300	-	\$3,000
Deputy Borough Clerk	\$15,000	-	\$35,000
Emergency Management Coordinator	\$500	-	\$6,000
Mayor	\$2,200	-	\$3,900
Municipal Administrative Assistant	\$15,000	-	\$40,000
Tax Assessor	\$6,500	-	\$20,000
Tax Collector	\$6,500	-	\$20,000
Zoning Official	\$1,800	-	\$10,000
<b>Hourly Positions:</b>			
Part-time Laborer	\$9.00	-	\$18.00
Public Works Laborer	\$9.00	-	\$25.00

Superintendent of Public Works	\$10.00	-	\$40.00
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**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, 2021, and shall apply to employees continually employed since January 1, 2022.

**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 8, 2022 Said Ordinance was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12<sup>th</sup> St., Folsom, NJ on March 8, 2022 at 6:00 P.M.

**Public Comments: None**

*A motion to approve Ordinance#3-2022 was made by Councilman Whittaker and seconded by Councilman Blazer*

*There was a roll call vote with ayes all.*

## **BOROUGH OF FOLSOM**

### **ORDINANCE # -4-2022**

#### **ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FOLSOM AND ENACT CHAPTER 170 TITLED TREE PRESERVATION**

**WHEREAS**, the Mayor and Council of the Borough of Folsom wish to regulate and prevent indiscriminate clear cutting of trees, ensure proper tree management by commercial and private entities, prevent soil degradation, erosion and sedimentation, decreased fertility of the soil, increased buildup of atmospheric carbon and increased dust tending to impact the character and aesthetic value of the Borough and decrease property values, stream encroachment and other adverse effects upon the environment; and

**WHEREAS**, the Mayor and Council wish to promote innovative landscape design to protect natural seepage of water into groundwater; and

**WHEREAS**, pursuant to N.J.S.A. 40A:48-2 et seq., the Council of the Borough of Folsom may enact ordinances for the health, welfare and safety of the residents of the Borough.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Folsom, County of Atlantic and State of New Jersey that the Code of the Borough of Folsom is amended and that Chapter 170 is enacted.

**Section 1. Chapter 170 titled Tree Preservation is enacted as follows:**

**§170-1 Intent.**

The intent of this chapter is to regulate and prevent indiscriminate clear cutting of trees, ensure proper tree management by commercial and private entities, prevent soil degradation erosion and sedimentation, decreased fertility of the soil, increased buildup of atmospheric carbon and increased dust tending to impact the character and aesthetic value of the Borough and decrease property values, stream encroachment and other adverse effects upon the environment

**§170-2 Purpose.**

- a. It is recognized that there is a strong interrelationship between the integrity of the Borough's water resources, development on steep slopes, tree removal, soil disturbance, stormwater management and the general use of land resources. Fewer trees throughout the Borough also correlates with increased air pollution. Therefore, the governing body finds that the appropriate management of these resources is an important health, safety and general welfare concern. Managing the Borough's tree resources is consistent with the State approved community forestry management plan, N.J.S.A. 13:1L-17.1 et seq. The appropriate management guidelines for tree preservation to be utilized are:
  1. The American National Standard, ANSI A300;
  2. Trees and Development: A Technical Guide to Preservation of Trees During Land Development, Nelda Matheny and James R. Clark; and
  3. Penn State Guide to Tree Preservation during Construction.
  4. Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-6.41 to 7:50-6.48).
- b. Trees are declared to be an important cultural, ecological, scenic and economic resource. Proper management of this resource will ensure its maintenance and result in economic returns. To that end, it shall be unlawful to cut down, damage, poison or in any other manner destroy or cause to be destroyed any trees covered by this chapter, except in accordance with the provisions of this chapter.
- c. The enforcement of this chapter shall be the duty of the Zoning officer of the Borough of Folsom.

**§170-3. Permit required.**

A permit shall be obtained pursuant to the provisions of this chapter for approval of any removal of five (5) trees or more measuring sixteen (16) inches or greater in diameter and removal of ten (10) trees or more measuring eight (8) inches or greater in diameter upon 5,000(five thousand) square feet or greater. A permit shall be obtained by the owner or contractor of the premises or his authorized agent so designated by notarized affidavit.

**§170-4. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**CALIPER**-Caliper is a type of diameter measurement used in the nursery industry. The height measurement shall be taken from ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare. Caliper measurement of the trunk shall be taken six (6) inches above the top of root flare up to and including four (4) inch caliper size. If the caliper at six (6) inches above the ground exceeds four (4) inches, the caliper should be measured at twelve (12) inches above the top of root flare. Seldom are tree trunks perfectly round. The most accurate measurements will result from the use of a diameter tape. Caliper measurements taken with manual or electronic slot or pincer type caliper tools should be the average of the smallest and largest measurements.

**CLEARCUTTING**-the removal of all standing trees on a lot or portion of a lot larger than five thousand (5,000) square feet.

**DIAMETER BREAST HEIGHT (DBH)**-The diameter of a tree measured four (4) feet above the uphill/highest side.

**DRIPLINE**-Shall mean the circular area surrounding a tree, the radius of which area shall be the distance from the trunk of the tree to the outermost branch of the tree.

**EROSION**-Shall mean the detachment and movement of soil or rock fragments by water, ice, wind and gravity.

**ENVIRONMENTAL COMMISSION**- shall mean the advisory commission established in Chapter 22 of this Code.

**PERMIT**-Shall mean a license issued by the Borough to remove or destroy a tree.

**ROOT SYSTEM**-Shall mean tree roots within the dripline perimeter.

**SHADE TREE COMMISSION**-Shall mean the advisory commission established in Chapter 59 of this Code.

TREE-Shall mean any woody perennial plant having a diameter greater than 8 inches measured at a point four feet above the ground.

TREE REMOVAL APPLICANT-Shall refer to any person or organization seeking to remove or alter trees in the Borough.

TREE REMOVAL PERMIT-Shall mean the permit issued by the Borough or its designee to remove or destroy a tree or to place machinery, material or temporary soil deposit or regrade soil within the dripline of any tree. All provisions of this Chapter shall apply to any person removing trees on behalf of any other person, including all tree removal construction companies or persons in the business of removing trees or construction. It shall be unlawful for any person or company to remove or cause to be removed any tree or undertake any work for which a permit is required pursuant to this Chapter unless a valid permit therefore is in effect and is displayed in accordance with the provisions set forth in Section 170-8; such removal or work shall constitute a violation of this section and shall subject the person or company violating this section to all penalties provided herein.

#### **§170-5. Exceptions.**

- A. A permit shall not be required under this Chapter for any of the following:
1. Any tree cut on a parcel of land of one acre or less in size on which a residence has been constructed.
  2. Any tree cut on property actually being used as a nursery, garden center, Christmas tree plantation, orchard or active farm.
  3. Any tree located on publicly owned land or public rights of way and removed by the public agency or its representatives.
  4. Any dead or dying trees hazardous to human life.
  5. Any tree located within the public right of way as shown on a subdivision map approved by the Borough of Folsom Land Use Board after consultation within the Borough Engineer.
  6. Any tree located in an area to be occupied by a building, driveway, patio, pool or sports court as shown on a plan approved by the Borough of Folsom Land Use Board in connection with an application for subdivision or site plan approval; or any tree located in an area to be occupied by a building, driveway, patio, pool or sports court as shown on a plan approved by the Borough Engineer for a permit related to a single family lot pursuant to the Grading, Drainage, Soil Erosion and Sediment Control Ordinance.

7. Any dead, diseased or other tree cut to avoid or prevent the endangering of life or property in the interest of public safety, or to protect the health of surrounding trees.
  8. Any tree that negatively impacts a septic field.
  9. Any tree needed to be cleared for installation of solar panels.
- B. The clearing of trees from more than five thousand (5,000) square feet shall be the subject to the requirements of this chapter and shall not be considered an exception pursuant to this section.

**§170-6. Conditions for Issuance of Borough Tree Removal Permit; Fees.**

The Zoning officer shall issue the Borough Tree removal permit, subject to the following conditions:

- a. The property owner will be responsible for the full cost of the tree, stump and debris removal.
- b. The Borough shall be held harmless and indemnified from any damage or costs incurred as a result of the tree removal. A properly executed hold harmless and indemnification agreement shall be filed with the tree removal permit application.
- c. The tree removal shall be conducted by a fully insured tree removal contractor, with a certificate of insurance naming the Borough as an additional insured in the amount of one million (\$1,000,000) Commercial General Liability (“CGL”) submitted with the application.
- d. The tree removal contractor shall comply with all State, O.S.H.A and ANSI line clearance standards.
- e. The tree removal contractor shall notify the Borough Engineer prior to the temporary closing of any street required for the safe removal of a Borough tree and shall receive the written approval of the Police Engineer.
- f. Each applicant for a permit to remove a Borough tree shall pay a permit fee of twenty five dollars (25) for removal of less than five (5) trees and one hundred dollars (100) for removal of five (5) trees or more.

**§170-7. Denial of Permit; Right of Appeal.**

An applicant shall have the right to appeal any denial of a Borough tree removal permit to the governing body.



- a. The appeal shall be submitted in writing within 14 days of the decision of the Zoning officer.
- b. The governing body may seek the advice of the Environmental Commission, the Shade Tree Commission and the Borough Engineer or such other experts as it deems appropriate.
- c. The governing body shall within 45 days of the filing of the appeal, adopt a resolution that either affirms the denial being appealed or directs the Zoning officer to issue the permit for removal with whatever conditions the governing body deems appropriate.

**§170-8. Permit Procedure.**

- a. Any person wishing to obtain a Tree Removal Permit shall make application to the Borough Clerk by filing a written application and paying such fees as are set forth in Section 170-6.
- b. The application shall identify the lot or tract of land upon which the tree or trees are located; shall disclose the name and address of the owner or duly authorized agent of the owner; shall set forth the reasons for requesting a permit to cut or remove same; and shall acknowledge who owns the tree or trees and shall indemnify and hold the Borough harmless against any and all liability, damages and costs resulting from or arising out of the applicant's cutting or removal of any tree or trees. The applicant shall attach to the application a survey or other document satisfactory to the Zoning officer which accurately sets forth the location of the tree or trees and evidence of the ownership itself.
- c. The Zoning officer shall review the application, which shall upon filing be deemed to constitute consent from the applicant to the Zoning officer and/or such person or persons as he/she may in writing designate for entry upon the land for the purpose of inspection and to any members of the Shade Tree Commission and Environmental Commission. In reviewing any such application, the Zoning officer may in his/her discretion consult the Shade Tree Commission, the Borough Engineer, and the Environmental Commission and such landscape architect or geologist as he/she may deem necessary or advisable. Except as otherwise hereinafter provided in paragraph (d) within twenty business days excluding Saturdays, Sundays and legal holidays from the filing of an application hereunder, the Zoning officer shall endorse his/her decision upon the application, and in case of partial or complete disapproval, shall set forth the basis for such decision. In addition, where appropriate, the Zoning officer shall indicate on such application guidelines and preventive measures to be taken to preserve from injury or destruction trees not sought to be removed. Among the conditions which the Zoning officer may impose on a permit are the requirement of a performance bond in the amount of the value of the trees to be preserved as appraised by a New Jersey certified tree expert, which bond shall be released upon issuance of a Certificate of Occupancy, and the requirement of replanting trees or shrubs if trees which provide buffer, reduce soil erosion, or serve other purposes consistent with the provisions of Section 170-1 and 170-2 are to be removed. Any

application approved, in whole or in part shall automatically become a permit in accordance with the terms of the endorsement. Any permit not acted upon within three months from the date of such approval shall automatically expire.

- d. Upon the filing of any application for the removal of trees located on any lot or tract for which an application for a Building Permit or subdivision or site plan review is required to be submitted to the Construction Code official, the Borough of Folsom Land Use Board and the applicant shall furnish the Zoning officer with a copy of the Building Permit application or subdivision plat or site plan. The Zoning officer may withhold his/her endorsement pending receipt of written notice of official action with respect to such Building permit, subdivision plat or site plan application. Within 20 business days, excluding Saturdays, Sundays and legal holidays, of the receipt of such notice, the Zoning officer shall act upon the application as provided in the preceding paragraph ( c).
- e. Tree removal permit applications shall be filed in the Borough Clerk's office and shall be completed in full. The application must be deemed complete and all required fees, as set forth in Section 170-6, be paid prior to review.
- f. The applicant shall notify, by certified mail, return receipt requested and produce evidence of such notification, all property owners within 200 feet of lands which are the subject of this application, which notice shall include the nature of the application, the number of acres involved, the location of the property and the date of any hearing required by the application.
- g. Every application for approval of any subdivision or site plan requiring the removal of trees of eight (8) inches or greater in diameter shall be accompanied by a tree restoration plan described in Section 170-10.

#### §170-9. **Standards.**

Upon receipt of an application for cutting or removal of streets, the Zoning officer, and/or his/her designee, and/or members of the Shade Tree Commission and/or members of the Environmental Commission shall inspect the site on which are located the tree or trees sought to be cut or removed or otherwise protected within the intent of this Chapter and the drainage and other physical conditions existing on the subject property and adjoining properties. The Zoning officer shall consider the following factors in deciding whether to issue such permit:

- a. Whether the proposed cutting or removal would impair the growth and development of the remaining trees on the applicant's property or adjacent property.
- b. Whether the proposed cutting or removal would adversely change existing drainage patterns impacting neighboring properties.
- c. Whether the proposed removal would allow soil erosion or increase dust.

- d. Whether the proposed removal would constitute a significant change in the screening between existing or proposed buildings on contiguous lots or would change the wooded aspect of the lot as viewed from the adjacent public road.
- e. Whether the proposed removal would constitute a horticulturally advantageous thinning of an existing overgrown area.
- f. Whether the overall effect of removal of such tree or trees on the physical and aesthetic value of the property and the neighborhood.
- g. Whether the area where such tree or trees is located will be occupied by a building or structure, a driveway or recreation area, a roadway, a drainage right of way, or a sewer line, or whether such area is within 20 feet of any of the foregoing.
- h. Whether existing conditions or proposed changes in the topography of the area where such tree or trees are located have depressed land configuration or fill or land which shall be deemed injurious to the trees or other trees located nearby so as to require welling, construction of an aerification system, or tree removal or replacement.
- i. Whether the presence of the tree or trees is likely to cause hardship or will endanger the public or any adjoining property owner by reason of it being diseased or dead or for some other adequate reason within the intent of this Chapter.

**§170-10 Tree Restoration Plan.**

- a. Any tree used in a required planting must be at least two and one-half (2 .5) inches caliper in diameter (for deciduous trees) or at least six (6) feet in height (for evergreen trees) and must be nursery stock, balled and burlapped and guaranteed for two (2) years from the date of planting.
- b. The removed tree must be replaced according to the table below that is dependent on the diameter measured at a point four (4) feet above the ground of the existing tree that would be removed. If in the discretion of the Zoning officer and/or the Shade Tree Commission and Environmental Commission, due to available space, species of trees and/or required space between planting, a lesser number would be appropriate, the Zoning Officer, Shade Tree Commission and Environmental Commission may grant a downward adjustment.

Diameter of Existing Tree (inches)	# of Replacement Trees	Diameter of Existing Tree (inches)	# of Replacement Trees
From 10 to 11	1	From 28 to 30	7

From 12 to 16	2	From 31 to 33	8
From 17 to 18	3	From 34 to 36	9
From 19 to 21	4	From 37 to 39	10
From 22 to 24	5	From 40 to 42	11
From 25 to 27	6	From 43 and greater	12

In lieu of providing a Replacement Tree, the owner of real property may contribute two hundred fifty dollars (\$250.00) per replacement tree to the Borough of Folsom with such funds to be used for tree replacement.

**§170-11. Effective date of permit.**

All permits issued pursuant to this Chapter shall be valid for a period of one year from the date of approval by the Borough. Any alteration or deviation from the cutting plan authorized in the permit shall require a new application and approval prior to undertaking the same. In the event that the applicant shall alter or deviate from the approved cutting plan, the permit shall forthwith be rendered null and void. Permits issued pursuant to this chapter are nontransferable.

**§170-12. Enforcement and inspection.**

This chapter shall be enforced by the Zoning officer or such Borough officials as are designated by resolution. Nothing contained herein shall be deemed to restrict or impede enforcement of any power or authority granted to the New Jersey State Department of Environmental Protection, Division of Parks and Forestry, Bureau of Forestry, for enforcement of N.J.S.A. 13:9-1 et seq., state forest fire laws and regulations or any other statute of regulation.

**§170-13. Violations and penalties.**

- A. A violation of any of the provisions of this chapter shall forthwith render any permit authorized and issued hereunder null and void.
- B. Violation of any provision of this chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$2,000 or by imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Any person who is convicted of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.
- C. For purposes of this chapter, each day on which a violation exists shall be deemed or constitute a separate offense and separate complaints may be filed for each such offense.

**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

**Public Comments: None**

*A motion to approve Ordinance#4-2022 was made by Councilman Norman and seconded by Councilman Whittaker*

*There was a roll call vote with ayes all.*

*Council President Greg Conway asked Council if anyone would like to remove a resolution from Consent Agenda. Resolution# 2021-43 was pulled from Consent Agenda to be voted on separately.*

**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:***

**BOROUGH OF FOLSOM  
RESOLUTION #2022-35**

**RESOLUTION TO ADOPT ATLANTIC COUNTY MULTI-JURISDICTIONAL  
NATURAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Borough of Folsom in the County of Atlantic, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

**WHEREAS**, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks; and

**WHEREAS**, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Atlantic County Multi-Jurisdictional Natural Hazard Mitigation Plan: and

**WHEREAS**, a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

**WHEREAS**, the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

**WHEREAS**, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Preparedness website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Folsom that:

1. The Atlantic County Multi-Jurisdictional Natural Hazard Mitigation Plan update, as approved by the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on January 26, 2022 is hereby adopted as an official plan of the Borough of Folsom in the County of Atlantic.
2. The Municipal departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Mayor and Council and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progresses, and shall prepare an annual progress report to be submitted to the Atlantic County Office of Emergency Preparedness according to the predetermined timeline and procedures outlined in the Plan.
- 5.

**BOROUGH OF FOLSOM  
RESOLUTION 2022-36**

**RESOLUTION ACCEPTING THE LETTER OF RESIGNATION FOR RETIREMENT FROM  
TAX COLLECTOR, BERTHA CAPPUCCIO**

**WHEREAS**, after thirty-three (33) years of dedicated service to the Borough of Folsom as Tax Collector, Bertha Cappuccio has submitted her letter of resignation dated February 28, 2022 for retirement;

**WHEREAS**, the Borough of Folsom wishes to record its deep appreciation for the contributions of Bertha Cappuccio as Tax Collector throughout her tenure and also for the guidance and assistance she has given to the Borough of Folsom residents;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Folsom, County of Atlantic, State of New Jersey does hereby memorialize the acceptance, with deep regret the letter of resignation from Bertha Cappuccio as Tax Collector effective March 31, 2022;

**BOROUGH OF FOLSOM  
RESOLUTION 2022-37**

**A RESOLUTION APPROVING PARTICIPATION IN THE MUNICIPAL AERIAL MOSQUITO  
SPRAYING**

**WHEREAS**, the Council of the Borough of Folsom has determined that aerial mosquito spraying should be instituted with Atlantic County.

**WHEREAS**, to be in compliance with section 9.10 of the New Jersey Pesticide Control Code (N.J.A.C. Title 7, Chapter 30). The Atlantic County Dept. of Public Works, Office of Mosquito Control will be applying pesticides for the control of adult populations on an area-wide basis, as needed, throughout Atlantic County during the period of April 2022 through November 2022.

**NOW THEREFORE**, by the Council of the Borough of Folsom that the mosquito is declared to be a public nuisance and can act as a vector or transmitter of diseases to humans and animals this application will be authorized.

**RESOLUTION 2022-38  
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZATING A ONE (1) YEAR EXTENSION FOR THE  
PROVISION OF BASIC LIFE SUPPORT EMERGENCY MEDICAL SERVICES (EMS)  
RESPONSE AND TRANSPORTATION SYSTEM SERVICES**

**WHEREAS**, the Agreement between the Borough of Folsom with AtlantiCare Regional Medical Center Emergency Medical Services was heretofore accepted and approved by the Borough Council to provide basic life support (“EMS”) services.

**WHEREAS**, the Borough Council desires to renew and extend such agreement for a term retroactively commencing January 1, 2022 through December 31, 2022

**NOW, THEREFORE, BE IT RESOLVED**, that certified copy of this Resolution shall be submitted to AtlantiCare Regional Medical Center Emergency Medical Services, 6685 Washington Avenue, Egg Harbor Twp., and NJ 08234

**BOROUGH OF FOLSOM  
RESOLUTION 2022-39**

**RESOLUTION APPOINTING RENEE DESALVO KNIGHT TO THE  
POSITION OF BOROUGH TAX COLLECTOR**

**WHEREAS**, the Borough Tax Collector, Bertha Cappuccio, heretofore tendered her letter of resignation to the Borough Council that is to be effective March 31, 2022; and

**WHEREAS**, the Borough Council is desirous of filling the vacancy with the appointment of a Borough Tax Collector in order to assist the Borough with the duties and functions of the Tax Collector's Office pursuant to N.J.S.A. 40A:9-141; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, that the Borough Council does hereby appoint Renee Desalvo Knight as Tax Collector effective April 1, 2022; and

**BE IT FURTHER RESOLVED** Renee Desalvo Knight shall be available a minimum of 3 hours per week to the public and shall work any additional hours as required to fulfill the duties of Tax Collector for an annual salary of \$15,000.00. The terms and conditions of employment shall be governed by the Borough of Folsom's Policies & Procedures.

**RESOLUTION 2022-40  
BOROUGH OF FOLSOM**

**A RESOLUTION TO ADOPT AND READ THE BUDGET BY TITLE ONLY**

**WHEREAS**, the local municipal budget for the year 2022 was approved on the 8th day of March, 2022; and

**WHEREAS**, the it is the desire of the Borough of Folsom governing body to read the budget by title only, and

**WHEREAS**, the public hearing on said budget has been set for April 12, 2022 and will be advertised as such; and

**NOW, THEREFORE BE IT RESOLVED**, this Resolution was approved by the Council of the Borough of Folsom, County of Atlantic, at 1700 12<sup>th</sup> St., Folsom, NJ on the 8th day of March, 2022 at 6:00pm.



**RESOLUTION 2022-41  
BOROUGH OF FOLSOM**

**A RESOLUTION SETTING THE SALARIES OF THE EMPLOYEES AND OFFICIALS OF  
THE BOROUGH OF FOLSOM**

**WHEREAS**, the Council of the Borough of Folsom has adopted a salary ordinance setting salary ranges for the various positions in the Borough; and

**WHEREAS**, each employee and official of the Borough will receive compensation within that range; and

**WHEREAS**, it is necessary for the Borough to formally approve the salary rate for each employee and official of the Borough.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Folsom that the following employee and official salaries are hereby approved for the year 2022, retroactive to January 1, 2022 for all employees continually employed by the Borough.

<u>Employee</u>	<u>Salaried Positions</u>	
All Members of Council	Council Member	\$3,000
Schenker, Greg	Mayor	\$3,900
Cappuccio, Bertha	Tax Collector	\$18,113
Carroll, Susan	Deputy Clerk	\$27,888
Gatto, Patricia	Borough Clerk/Administrator	\$54,096
Johnson, Bill	Tax Assessor	\$16,730
LaPollo, John	Zoning Officer & Code Official	\$5,691
Smith, Kyle	Emergency Mgmt Coordinator	\$3,000
Hadulias, Chris	Deputy Emergency Mgmt Coordinator	\$500
Stollenwerk, Dawn	Chief Financial Officer	\$17,489
<u>Hourly Rates</u>		
LaPollo, John	Superintendent Public Works	\$29.69
Hadoulis, Chris	Public Works Laborer	\$18.22
Christy, Zacchary	Public Works Laborer	\$15.71

**RESOLUTION 2020-42  
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE DEPUTY CLERK  
AN INCREASE IN SALARY**

**WHEREAS**; The Borough of Folsom is desirous of increasing services to the public by having the Deputy Clerk, Susan Carroll assist the Tax Collector during the hours of 8:30 am to 4:00 pm, Monday through Friday; and

**WHEREAS**; The Borough Council has determined that the compensation of the Deputy Clerk shall be adjusted to account for the additional duties.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Folsom, County of Atlantic State of New Jersey, that the salary of Susan Carroll be increased by \$2,000, for a total annual salary of \$29,888 effective April 1, 2022.

*A motion was made by Councilman Blazer to approve Resolutions #2022-35 thru #2022-42 and seconded by Councilman Norman*

*There was a roll call vote with ayes all.*

**RESOLUTION 2022-43  
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING PREMIUM PAY FOR THE EMPLOYEES OF THE  
BOROUGH OF FOLSOM**

**WHEREAS**, the Borough of Folsom has received money from the Coronavirus Local Fiscal Recovery Fund (LFRF); and

**WHEREAS**, one of the eligible uses of the fund is to grant premium pay to essential works who continued to work throughout the pandemic to provide services to the public; and

**WHEREAS**, the Borough is desirous to give premium pay to the employees of the Borough of Folsom to show its appreciation to all employees who continued to work during the pandemic and continued to provide services to the residents of the Borough; and,

**WHEREAS**, it is necessary for the Borough to formally approve the premium pay for each employee.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Folsom that the following employees are hereby approved for premium pay and the Chief Financial Officer is authorized to prepare the payments within the next payroll cycle.

<u>Employee</u>	<u>Salaried Positions</u>	
Cappuccio, Bertha	Tax Collector	\$2,000
Carroll, Susan	Deputy Clerk	\$3,000
Gatto, Patricia	Borough Clerk/Administrator	\$3,000
Johnson, Bill	Tax Assessor	\$2,000
Stollenwerk, Dawn	Chief Financial Officer	\$2,000
LaPollo, John	Superintendent Public Works	\$3,000
Hadulias Chris	Public Works Laborer	\$3,000

*A motion was made by Councilman Hoffman to approve Resolutions #2022-43 and seconded by Councilman Blazer*

*There was a roll call vote with ayes all.*

**SOLICITOR'S REPORT:** *Ms. Costigan reported on the two (2) Ordinances for next month's meeting. (Cannabis and Property Maintenance.)*

**FIRE CHIEF REPORT:** *No report*

## **ENGINEER'S REPORT:**

### **NJDOT FY 2021 - Resurfacing of Park Avenue**

The speed radar signs were installed on Park Avenue in February. The signs are currently operational; however, they were installed without the proper components needed to view the traffic data on the online cloud system. The contractor is ordering the correct parts, as well as additional batteries to help maintain the power supply, and will upgrade the signs that were installed with the necessary components to access the data online.

A punch list of corrective work has been issued to the contractor, and they anticipate addressing the corrective work sometime this month. Once the punch list work has been completed, the contractor will schedule the installation of striping and RPM's, and upon completion of that work we can proceed with final payment and closeout.

### **NJDOT FY 2022 - Resurfacing of South Pinewood Drive, Evergreen Drive, Lake Drive, & Laurel Lane**

We have completed the field survey of the roads and will be moving into the base mapping and design phase of the project. We anticipate that the design will be sent to NJDOT for approval by June 2022, with the bid opening and start of construction to follow in the summer.

### **Eighth Street Bridge**

The bridge is still closed. A full detour for Eighth Street continues to be in effect indefinitely.

### **Speed Radar Signs - Lake Drive**

The contractor that installed the speed radar signs, LC Equipment, checked the signs on Lake Drive to investigate the power supply issues. They rotated the solar panels to be oriented facing south, which will allow the panels to receive the greatest amount of sunlight exposure. LC believes that this adjustment should improve the power supply issues, but they also reached out to the manufacturer about the issue and the manufacturer recommended adding a second battery to each sign to help maintain the power supply. We were quoted a price of \$299.00 for each additional battery from the manufacturer. If this is something the Borough is interested in pursuing, let our office know so we can either coordinate with LC or have them order the additional batteries, or the Borough can order the batteries directly from the manufacturer.

**Mayor's Report:** Absent

## **COUNCIL MEMBER'S COMMITTEE REPORTS:**

**Councilman Conway:** *Greg reported that the Environmental Commission is hosting a free tree seedlings drive through at Borough Hall on April 16, 2022 from 9:00AM to 12:00PM.*

**Councilman Norman:** *Al reported that it seems like people are speeding on Park Avenue just to get a reading on the sign. Worst times are morning and afternoon. Al also reported that it seems like there are more motorcycles and ATV's speeding throughout the Borough.*

**Councilman Porretta:** *absent*

**Councilman Whittaker:** *Still working on getting the incident report for Folsom from the State Police. Jim reported that he received a few complaints on speeding. The speed trailer will be placed on Mays landing Road, 14<sup>th</sup> Street and Park Avenue.*

**Councilman Hoffman:** *Jim asked what happened to the crossing signs on Lake Avenue. Superintendent LaPollo reported that they were stolen. A discussion ensued and it was decided to have them replaced.*

**Councilman Blazer:** *Jake updated Council on the last Parks & Rec Meeting. Jake reminded Council that the Joel Spiegel dedication on June 4, 2022 at 10:00AM at Penny Pot Park. Jake offered to pick up the bench when it comes in sometime in May. There was a discussion about the purchasing of the tree to be installed in remembrance of Joel. Jake reported that on March 5, 2022 the FAA had a field cleanup day. Jake thanked the FAA for repairing and cleaning up the tee ball field.*

**Councilman Hoffman** *Jim thanked whomever cleaned up the trash on Mays Landing Rd.*

**PUBLIC COMMENTS:** *None*

**PAYMENT OF BILLS IN THE AMOUNT OF:** \$212,250.10

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

There was a roll call vote with ayes all

Council President Conway 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, April 12, 2022 starting at 6:00 pm in Borough Hall, 1700 12<sup>th</sup> Street, Folsom, NJ

With no other discussion the meeting was adjourned at 7:30PM.

Respectfully submitted,

Patricia M. Gatto  
Municipal Clerk



