

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
May 9, 2023**

MEETING CALLED TO ORDER: 7:00PM

SALUTE TO THE FLAG LED BY MAYOR 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, Porretta, Hoffman, Norman and Blazer

Also present: Solicitor Angela Costigan, and CJ Kaenzig from Polistina & Assoc.

APPROVAL OF THE WORKSHOP MEETING MINUTES April 11, 2023

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

There was a roll call vote with ayes all.

APPROVAL OF THE COUNCIL MEETING MINUTES April 11, 2023

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

There was a roll call vote with ayes all.

Mayor Schenker presented the "Mayor's Citizen of the Year" award to Cindy Norman for all her work and dedication to the Folsom Historical Society.

Joe Henry from Hardenberg Insurance gave a Safety Presentation.

MEETING OPEN TO PUBLIC:

Terri Moorehead (2301 Lupin Lane) came before Council to express her disappointment over the handling of the issue at 2206 Oakwood Dr.

CLERK'S CORRESPONDENCE:

Next E-Waste Drop-off Day is May 13, 2022 from 8:00am to 1:00pm.

Memorial Day Service to honor Veterans, Saturday, May 28, 2023 at 10:00am

Borough Hall will be closed on Monday, May 29, 2022 in observance of Memorial Day

ORDINANCES: (Second reading/final adoption)

BOROUGH OF FOLSOM

ORDINANCE #06- 2023

ORDINANCE AUTHORIZING EXECUTION OF A DEED OF EXTINGUISHMENT AND TERMINATION OF EASEMENT TO LAWRENCE J. SMITH SR., MARCIA A. SMITH, KYLE SMITH AND JESSICA SMITH

WHEREAS, the Borough of Folsom filed a Deed of Easement for drainage purposes dated October 12, 1983 on October 18, 1983 with the Atlantic County Clerk's Office on property then owned by Lawrence and Marcia Smith on then named Block 64 Lot 393; and

WHEREAS, previously named Block 64 became Block 2712 and lot 393 and lot 394 were consolidated by Deed dated February 7, 2023 and filed on February 27, 2023 in the Atlantic County Clerk's Office; and

WHEREAS, the Council of the Borough of Folsom has determined pursuant to N.J.S.A. 40A :12-13(b) (4) that it wishes to release the public right to the easement acquired on October 12, 1983 on property then owned by Lawrence and Marcia Smith and that the use of such rights is no longer necessary and desirable or required for public purposes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the easement rights acquired on Block 2017 Lot 393 on October 12, 1983 are no longer necessary or desirable or required for public purposes and that these rights be terminated and extinguished.

BE IT FURTHER ORDAINED that the Mayor and Borough Clerk are hereby authorized to execute a DEED OF EXTINGUISHMENT AND TERMINATION OF EASEMENT and that this Deed be filed with the Atlantic County Clerk's Office.

SECTION 1. REPEAL OF PRIOR ORDINANCES. All ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 2. SEVERABILITY. To the extent that any part of parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining portions or sections of this Ordinance shall remain in full force and effect. If any section, sentence or any part of this Ordinance is adjudged, unconstitutional or invalid by a Court of competent

jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect after final passage and publication as provided by law.

PUBLIC COMMENT: NONE

A motion to approve Ordinance #06-2023 was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

RESOLUTIONS:

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.

**RESOLUTION # 2023-55
BOROUGH OF FOLSOM**

**SHARED SERVICES AGREEMENT
RECYCLED COLLECTION AND DISPOSAL RESIDENTIAL SERVICE FOR
THE BOROUGH OF FOLSOM**

WHEREAS, the Governing Body of the Borough of Folsom have agreed to enter into a Shared Services Agreement with the Atlantic County Utilities Authority (ACUA) for Recycling Collection and Disposal Residential Service; and

WHEREAS, the Borough of Folsom and the ACUA desire to enter into said Agreement and to fix the expiration date of said Agreement to occur on **April 30, 2028** in order to enable long term planning by both parties for the proper disposal of the Municipality's solid waste.

WHEREAS, the CFO has determined and certified in writing that the value of the contract will not exceed **\$215,000.**

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Folsom approves the attached Agreement and authorizes the mayor to execute.

**RESOLUTION 2023-57
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2023 MUNICIPAL BUDGET

WHEREAS, N.J.S.A.40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Folsom in the County of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$50,000, which is now available from the FY 2023 Local Recreation Improvement Grant (LRIG).

BE IT FURTHER RESOLVED, that the like sum of \$50,000 is hereby appropriated under the caption FY 2023 Local Recreation Improvement Grant (LRIG)

**RESOLUTION 2023-58
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2023 MUNICIPAL BUDGET

WHEREAS, N.J.S.A.40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Folsom in the County of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$2,785.50, which is now available from the 2020 Recycling Tonnage Grant.

BE IT FURTHER RESOLVED, that the like sum of \$2,785.50 is hereby appropriated under the caption Recycling Tonnage Grant.

**RESOLUTION 2023-59
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2023 MUNICIPAL BUDGET

WHEREAS, N.J.S.A.40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Folsom in the County of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$25,000, which is now available from the NJ DEP Stormwater Assistance Grant.

BE IT FURTHER RESOLVED, that the like sum of \$25,000 is hereby appropriated under the caption NJ DEP Stormwater Assistance Grant.

**RESOLUTION 2023-60
BOROUGH OF FOLSOM**

A RESOLUTION TO CANCEL CERTAIN GRANT RECEIVABLE BALANCES

WHEREAS, certain Grant Receivable Balances remain on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance and its' offsetting appropriation reserve balance from the balance sheet; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, that the following grant receivable and the appropriation reserve balances be canceled:

	<u>Grant Receivable</u>	<u>Appropriation Reserve</u>
NJDOT FY 2023 Bikeway Grant	\$310,000.00	\$310,000.00

A motion to approve Resolutions #2023-55 thru 2023-60 excluding Resolution #2023-56 was made by Councilman Hoffman and seconded by Councilman Norman.

**RESOLUTION 2023-56
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING A CHANGE ORDER TO THE FY 2022 RESURFACING OF S.
PINWOOD DR., EVERGREEN DR., LAKE DR. AND LAUREL LANE**

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 NJDOT Municipal Aid 2022 Road Program with Arawak Paving Co. for the resurfacing of Pinewood Dr. Evergreen Dr., Lake Dr. and Laurel Lane in the Borough of Folsom; and

WHEREAS, the reduction in the contract quantities for the project in the amount of \$40,459.19; and

WHEREAS, the adjustment of the quantities of the 2022 Road Program 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 \$40,459.19 and the execution of a change order will not cause the originally awarded contract price to be exceeded by more than twenty percent (20%); and

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:

A change order is approved for the NJDOT Municipal Aid 2022 Road Program project to include a reduction in quantities of the 2022 Road Program with a total decrease of \$40,459.19 for a resulting total Contract amount of \$249,440.81; 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 order, such amendatory contract to be in a form satisfactory to the Borough Attorney.

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

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: *No report*

FIRE CHIEF REPORT: *Councilman Norman read the fire report*

ENGINEER'S REPORT:

NJDOT FY 2022 - Resurfacing of South Pinewood Dr, Evergreen Dr, Lake Dr, & Laurel Lane

All work on the project has been completed. The final pay estimate and change order are on tonight's agenda for approval and processing. Once final payment is issued to Arawak, we will prepare closeout documents with NJDOT so final reimbursement can be dispersed to the Borough.

NJDOT FY 2023 - Resurfacing of Cherokee Rd, Erie Rd, Seneca Lane, Mohawk Dr, & Lenape Terrace

The Borough has been awarded a municipal aid grant in the amount of \$261,640.00 to resurface Cherokee Road, Erie Road, Seneca Lane, Mohawk Drive, and Lenape Terrace. We have begun surveying the roads, and anticipate that the plans and specs will be complete in early summer for approval by the Borough and NJDOT. Once we receive proper authorization, we will receive bids and begin construction in fall of 2023.

NJDOT FY 2024 - State Aid Program

Grant applications for the New Jersey Department of Transportation's Fiscal Year 2024 State Aid programs are due by July 1, 2023. The Borough's Resolution of Support to submit the grant application and execute a grant contract with NJDOT must be included at next month's Council meeting in order to be submitted with the grant application by July 1.

The Borough must select the road(s) to be resurfaced as part of the FY 2024 State Aid program, and inform our office of the selected road(s) by May 31. Councilman Conway had previously recommended Cains Mill Road to the bridge, Fernwood Terrace, Cushman Avenue, Glenside Lane, and Holly Lane in the Collings Lakes area within the Borough.

NJDCA FY 2023 - Local Recreation Improvement Grant

We requested \$60,000 in funding to renovate the Babe Ruth League baseball field. The DCA has announced that the Borough has been selected and will receive \$50,000.00 in funding.

ACIA FY 2020 CDBG Project

We anticipate that the plans and specs for the Court Room Automated Door Operators & Braille Signage will be complete for approval by the Borough at next month's Council meeting.

ACIA FY 2023 CDBG Project

We have submitted an application requesting \$15,000.00 to construct an ADA compliant asphalt walkway at the 13th Street Park from the end of the existing walkway to the basketball / pickleball courts

MAYOR'S REPORT: Mayor Schenker stated that the Basketball/pickleball courts came out great.

Mayor Schenker read the PWD report. Greg reminded everyone to remember Mom on Mother's Day.

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Conway: *Greg thanked all the vendors that participated in the Green Day event. Greg reported the Environmental Commission got a grant from the ACUA and students from the school decorated recycling containers as the one I brought here tonight. Greg also reported that he has plaques and metals for the Arbor Day contest the Commission sponsored. Greg thanked Harley Dawn and Stoc-up for their donations. Greg showed Council a sign from the River Council with information about beavers. Greg asked Council if it would be ok to place one in Folsom. Some suggested near the Bridge in Collings Lakes. Greg reminded everyone about the Veteran's Memorial Service on Sunday, May 28, 2023 at 9:00AM. Greg asked residents to please come out and show support to the Veteran's.*

Councilman Norman: *Al asked Council to do something with the speeding on Park Ave. Al suggested moving the speed signs. Mayor asked Councilman Whittaker to see if we can get more police to patrol.*

Councilman Porretta: *No report*

Councilman Whittaker: *Jim read the State Police report. Jim also discussed the home invasion that happened on Mays Landing Rd. He wanted residents to know it was not a random act. All suspects were apprehended. Jim reported that he met with the Sherriff's department and they will start patrolling soon.*

Councilman Hoffman: *No report*

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Councilman Blazer: *Absent*

MEETING OPEN TO THE PUBLIC:

Ron Esposito (2102 Laurel Lane) come before Council to find out why the court case against 3106 Evergreen Drive (Porretta) was dismissed in Central Court. Ms. Costigan explained.

Inaudible from audience.

PAYMENT OF BILLS IN THE AMOUNT OF: \$288,077.29

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

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.

Please visit the Borough of Folsom website at folsomborough.com for updated Borough information and the Borough of Folsom Facebook page.

The next regular meeting of Mayor and Council will be held on Tuesday, June 13, 2023 starting at 6:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 7:58PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

