

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
August 13, 2014**

MEETING CALLED TO ORDER: 7:11PM

SALUTE TO THE FLAG LED BY Acting Mayor Byron Gummo

OPENING STATEMENT: Adequate notice of this meeting has been given in accordance with the open public meeting act, pursuant to Public Law 1975, Chapter 231. Said 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, Gazzara, DeStefano, Veneziani and Gummo

Absent: Councilman Kemmerer

Also present: Solicitor Keith Bonchi, Engineer Gary Auer and Acting Mayor Byron Gummo

RESOLUTIONS:

**RESOLUTION 2014-62
BOROUGH OF FOLSOM**

**A RESOLUTION ACCEPTING THE LETTER OF RESIGNATION FROM MAYOR
THOMAS BALLISTRERI**

WHEREAS, Mayor Thomas N. Ballistreri has submitted to the Borough Clerk a letter of resignation from said position effective August 1, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Folsom does hereby accept the resignation of Mayor Thomas N. Ballistreri.

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 40A:16-3(f) that Mayor Thomas N. Ballistreri's seat is hereby determined to be vacant to be filled in accordance with applicable laws.

A motion to approve Resolution 2014-62 was made by Councilman Smith and seconded by Councilwoman Veneziani

There was a roll call vote with ayes all.

**RESOLUTION 2014-63
BOROUGH OF FOLSOM**

APPOINTMENT TO FILL A VACANCY IN THE OFFICE OF MAYOR

WHEREAS, the term of Mayor was vacated on August 1, 2014; and

WHEREAS, Mayor Thomas Ballistreri, submitted to the Borough Clerk his resignation from said position by email dated August 1, 2014 effective 12:01 AM the same day, thus creating a vacancy in that position pursuant to N.J.S.A. 40A:16(f); and

WHEREAS, the Municipal Committee of the Folsom Republican F.I.R.E. party of the Borough of Folsom has by letter dated August 4, 2014 presented to Governing Body the names of three (3) nominees for the selection of a successor to fill said vacancy.

NOW, THEREFORE, BE IT RESOLVED, by Governing Body by this 13th day of August , 2014 that Louis DeStefano shall be and hereby is appointed to fill the vacancy created by the resignation of Mayor Thomas Ballistreri, until the successor is qualified and certified after the next General Election.

BE IT FURTHER RESOLVED that Louis DeStefano shall take his seat immediately with all voting rights and privileges of that office.

A motion to approve Resolution 2014-63 was made by Councilman Smith and seconded by Councilwoman Veneziani

There was a roll call vote with ayes all with the exception of Councilman Gummoes' abstention

Councilman Gazzara requested to change his vote. Solicitor Keith Bonchi stated that it was too late to change his vote.

Sheriff Frank Balles administered the Oath of Office to newly appointed Mayor Louis DeStefano.

Mayor Destefano took his seat on the dais after a brief recess.

APPROVAL OF THE WORKSHOP MINUTES July 9, 2014

A motion to approve the minutes was made by Councilwoman Veneziani and seconded by Councilman Gazzara

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

APPROVAL OF THE MINUTES FROM July 9, 2014

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

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

APPROVAL OF THE SPECIAL MEETING MINUTES FROM July 29, 2014

A motion to approve the minutes was made by Councilwoman Veneziani and seconded by Councilman Gazzara

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

APPROVAL OF USE OF A FACILITY (BALLFIELDS)

A motion to approve the use of ball fields was made by Councilman Gummoe and seconded by Councilman Smith.

There was a roll call vote with ayes all

MEETING OPEN TO PUBLIC:

Donna Sutts (15 E. Park Ave.) asked Mayor and Council on the status of the 16 E. Park Avenue **Inaudible.**

Andy Magee (1307 13th St.) thanked Mayor and Council for all their support. Mr. McGee invited all residents to a Whiffle Ball Tournament Fundraiser to be held on August 23, 2014 at the 13th Street ball field.

Mary Jane Kaiser(303 E. Collings Dr.) congratulated Mayor DeStefano.

Greg Schenker(1447A Black Line Rd) thanked former Mayor Ballistreri for his past service to the Borough and wished everyone good luck.

Steve Schultz(1916 12th St.) inquired about the noise ordinance. Mr. Schultz stated that he was concerned over the ongoing construction in front of his house with regards to noise and vibration.

John Risley (Vice-Chairman Board of Freeholders) congratulated Mayor Destefano on his new position and thanked former Mayor Tom Ballisteri for his years of service.

MEETING CLOSED TO PUBLIC

CLERK'S CORRESPONDENCE: Ms. Gatto reminded residents that Borough Hall offices will be closed on Monday, September 1, 2014 in observance of Labor Day and the Borough will be returning to regular business hours on September 2, 2014 from 8:30 am to 4:00pm.

ORDINANCES: (SECOND READING/FINAL ADOPTION)

**BOROUGH OF FOLSOM
ORDINANCE NO. 05-2014**

**AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES
BY THE BOROUGH OF FOLSOM PURSUANT TO C.52:15-15F *et .seq.***

WHEREAS, P.L. 2013 c.28 authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, P.L. 2013 C. 28 permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

NOW, THEREFORE, BE IT ORDAINED by the Folsom Borough, County of Atlantic and State of New Jersey according to the following:

Section 1. All full time employees and elected public officials who receive compensation from the Borough of Folsom are mandated to have direct deposit of their compensation as of July 1, 2014 in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f(b).

Section 2. Municipal employees may request, in writing, an exemption form the direct deposit mandate to the Borough Chief Financial Officer. Such requests will be presented to the Borough Council within 30 days. The Borough of Folsom Council may grant such an exemption by resolution and only for good cause.

Section 3. If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately after final passage 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 July 9, 2014 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 August 13, 2014 at 7:00 P.M.

A motion to approve was made by Councilwoman Veneziani and seconded by Councilman Gummo.

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
ORDINANCE NO. 06-2014**

**AN ORDINANCE GRANTING RENEWED CONSENT AND PERMISSION TO SOUTH
JERSEY GAS COMPANY TO USE THE PUBLIC STREETS TO FURNISH GAS FOR
LIGHT, HEAT AND POWER IN FOLSOM BOROUGH**

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to Folsom Borough pursuant to the municipal consent first granted to South Jersey Gas Company in certain Ordinance 36 passed on April 4, 1957; and

WHEREAS, South Jersey Gas Company now seeks, pursuant to N.J.S.A. 48:3-15, the consent of Folsom Borough to renew that portion of the 1957 Ordinance, applicable to the use of the streets in the Borough for said service by adopting the following Ordinance;

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

Section 1. That exclusive consent and permission is hereby renewed and granted to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within Folsom Borough in the manner prescribed by N.J.S.A. 48:9-21, and subject to reasonable regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to approval of such consent and permission by the Board of Public Utilities.

Section 2. This consent is granted for the entire geographical area of Folsom Borough and shall extend to the boundaries of Folsom Borough and shall remain in effect for a period of fifty (50) years from the date of final adoption of this Ordinance.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law, and acceptance by South Jersey Gas Company.

Section 5. All Ordinances or parts which are inconsistent with the provisions of this Amendment to an Ordinance, are hereby repealed to the extent of such inconsistency.

Section 6. South Jersey Gas shall be required to post an annual bond in the sum of \$5,000.00 to ensure proper performance of it and any subcontractor as it relates to opening and closing streets.

Section 7. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Borough of Folsom, then the restriction which imposes the greater limitation shall be enforced.

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 July 9, 2014 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 August 13, 2014 at 7:00 P.M.

A motion to approve was made by Councilman Gummoe and seconded by Councilwoman Veneziani

There was a roll call vote with ayes all.

Greg Schenker (1447A Backline Rd.) questioned whether consideration is given to the newly paved roads. Greg suggested that they should be a moratorium for newly paved roads.

RESOLUTIONS:

**RESOLUTION 2014-60
BOROUGH OF FOLSOM**

**A RESOLUTION ESTABLISHING NO PASSING ZONES ON ROUTE 54 IN THE
BOROUGH OF FOLSOM, ATLANTIC COUNTY**

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 54 in the Borough of Folsom; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Route 54 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along (US) (NJ) Route 54;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, County of Atlantic, in the State of New Jersey, that it supports the use of a “ No Passing Zone” on Route 54 in the Borough of Folsom as recommended by NJ DOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

A motion to approve Resolution 2014-60 was made by Councilman Smith and seconded by Councilman Gazzara.

There was a roll call vote with ayes all.

**RESOLUTION 2014-61
BOROUGH OF FOLSOM**

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSES WITHIN THE
BOROUGH OF FOLSOM**

WHEREAS, the following Alcoholic Beverage Licensees have made their application for the renewal of their respective licenses for the year 2014-2015;

0110-33-007-008	Sneakers Sports Bar 301 E. Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2014-2015 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said licenses, all of which to become effective August 13, 2014

A motion to approve Resolution 2014-61 was made by Councilman Smith and seconded by Councilman Gummo.

There was a roll call vote with ayes all.

**RESOLUTION 2014-66
BOROUGH OF FOLSOM**

A RESOLUTION TO WAIVE USE OF FACILITY APPLICATION FEES

WHEREAS, The Borough of Folsom waives any and all permit fees under section 103-6 of the municipal code so that the Andrew Magee can use field on August 23, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey that all fees be waived for use of ball fields.

A motion to approve Resolution 2014-66 was made by Councilwoman Veneziani and seconded by Councilman Gummoe.

Councilman Gummoe explained Resolution 2014-66

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2014-67**

**A RESOLUTION AUTHORIZING THE BOROUGH OF FOLSOM TO AWARD THE
BID FOR THE CONCRETE WORK INVOLVED IN THE CONSTRUCTION OF A
PUBLIC WORKS BUILDING
CONTRACT NO. 17-B**

WHEREAS, bids were accepted on August 12, 2014 at 10:30 AM at the Borough Hall in the Borough of Folsom; and

WHEREAS, all bids were opened and announced to those in attendance; and

WHEREAS, the apparent lowest responsible Bidder, as determined by the Borough Engineer, is Johnson Tree Transplanting; and

WHEREAS, the amount of the Bid submitted by **Johnson Tree Transplanting.**, is \$19,065.00; and

WHEREAS, the Chief Financial has provided the Borough Clerk with a certificate of funds availability.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that Johnson Tree Transplanting is hereby, awarded the contract for the Concrete Work Involved in the Construction of a Public Works Building, Contract No. 17-B for the amount of \$19,065.00

A motion to approve Resolution 2014-67 was made by Councilman Gazzara and seconded by Councilman Gummo.

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2014-68**

**A RESOLUTION AUTHORIZING THE BOROUGH OF FOLSOM TO AWARD THE
BID FOR THE ELECTRICAL WORK INVOLVED IN THE CONSTRUCTION OF A
PUBLIC WORKS BUILDING
CONTRACT NO. 17-B**

WHEREAS, bids were accepted on August 12, 2014 at 10:00 AM at the Borough Hall in the Borough of Folsom; and

WHEREAS, all bids were opened and announced to those in attendance; and

WHEREAS, the apparent lowest responsible Bidder, as determined by the Borough Engineer, is Unlimited Drilling Services t/a RKS Contractors; and

WHEREAS, the amount of the Bid submitted by **Unlimited Drilling Services t/a RKS Contractors.**, is \$24,950.00; and

WHEREAS, the Chief Financial has provided the Borough Clerk with a certificate of funds availability.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that Unlimited Drilling Services t/a RKS Contractors is hereby awarded the contract for the Electrical Work Involved in the Construction of a Public Works Building, Contract No. 17-B for the amount of \$24,950.00

A motion to approve Resolution 2014-68 was made by Councilman Gummo and seconded by Councilman Smith

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: Inaudible. The first foreclosures list went to publication August 6, 2014. The second list will be in publication soon and all foreclosures should be completed by the end of the year.

FIRE CHIEF'S REPORT: Councilman Smith reported that there were six (6) calls for the month. Kyle reported that the fire company received an AFT grant to pay for air packs which totaled \$154,000.00

ENGINEER'S REPORT: Gary Auer congratulated Mayor DeStefano on his new position. Gary reported that five (5) contractors submitted bids for the Public Works Garage Concrete project. The low bidder was Johnson Tree Transplanting for \$19,065.00.

Gary also reported that two (2) contractors submitted bids for the Public Works Garage-Electrical Work project. The low bidder was Unlimited Drilling Services t/a RKS for \$24,950.00.

Mayor DeStefano stated that he would like to speak with Vince or Gary about applying for discretionary aid for road work.

MAYOR'S REPORT: Mayor DeStefano informed residents that Community Day will be held at Folsom School on October 4, 2014 starting at 10:00AM. Mayor DeStefano stated that he is happy that the school took over Community Day from South Jersey Gas. Mayor DeStefano thanked the Folsom Educational Foundation for all their work in preparing for Community Day.

Mayor DeStefano thanked Sheriff Balles for administering the Oath of Office. Lou also thanked Freeholder Risley for attending the meeting. Lou also thanked Byron for filling in as Acting Mayor and he thanked Former Mayor Ballistreri for his years of service to the Borough of Folsom and wished him well on his retirement.

COUNCIL MEMBER'S REPORTS:

Councilman Kyle Smith: wished former Ballistreri well in his retirement and congratulated Mayor DeStefano on his new position. Kyle thanked all the residents for coming to the meeting and showing their support. Councilman Smith stated that there have been more acts of vandalism in Folsom and asked residents to be more vigilant. Kyle also reminded residents to use caution when driving in town due to road construction and the school opening soon.

Councilman Butch Gazzara: congratulated Mayor DeStefano on his new position and wished former Mayor Ballistreri well on his retirement. Butch reminded residents to use caution when driving because school is right around the corner. Councilman Gazzara would like to propose for the next meeting a resolution for a memorial wall to recognize former Mayors and Council in the Borough of Folsom. Butch also would like to discuss at the next meeting making former Mayors Eckhardt and Ballistreri Mayors of Emeritus.

Councilman Gary Kemmerer: Absent

Councilwoman Veneziani: congratulated Mayor DeStefano on his new position and wished Former Mayor Ballistreri well on his retirement.

Councilman Gummo: discussed the letter the Borough received regarding the property of 14th Street and South River Drive.

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY

PAYMENT OF BILLS IN THE AMOUNT OF \$569,671.96

A motion to approve payment was made by Councilman and seconded by Councilman Gazzara

There was a roll call vote with ayes all.

Mayor Lou 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.

The next regular meeting of Mayor and Council will be held on Wednesday, September 10, 2014 starting with a half hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 8:10 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk