

**BOROUGH OF FOLSOM  
COUNCIL MEETING  
MINUTES  
April 11, 2012**

**MEETING CALLED TO ORDER: 7:31PM**

**SALUTE TO THE FLAG LED BY MAYOR BALLISTRERI**

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

**ROLL CALL:** Councilpersons Eckhardt, Gazzara, Esposito, Kemmerer and Olive

**Absent:** Councilman Schenker

**Also present:** Attorney Mike Fitzgerald, Gary Auer from Polistina & Associates, John LaPollo, Public Works Superintendent and Dawn Stollenwerk, CFO

Mayor Ballistreri noted a change in the Agenda for tonight and that the Public Portion of the meeting after the Council Member's Report will be deleted and we will have our normal Public Portion at the beginning of the meeting.

**APPROVAL OF THE WORKSHOP MINUTES APRIL 11, 2012**

A motion to approve the workshop minutes was made by Councilman Esposito and seconded by Council Eckhardt

There was a roll call vote with ayes all.

**APPROVAL OF THE MINUTES FROM APRIL 11, 2012**

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

There was a roll call vote with ayes all

**MEETING OPEN TO PUBLIC:**

Charles Endicott of Endicott Engineering is representing Folsom residents Ben and Margaret Pagano owners of several properties between 14<sup>th</sup> and 15<sup>th</sup> Streets west of Backline Road. Mr. Endicott felt that his clients should have been offered the right to bid as contiguous owners on several properties that the Borough of Folsom is offering for sale at the Land Sale meeting on April 18. Mr. Endicott stated he felt that the definition of contiguous property as indicated in the Borough's Ordinance should give the Pagano's the opportunity of first right of refusal. Solicitor Mike Fitzgerald disagreed with Mr. Endicott's interpretation of the Ordinance and that his client does have the right to approach Council and object the sale.

**Byron Gummoe (125 Park Avenue)** asked the Governing Body what the outcome was concerning the 15<sup>th</sup> Street road damage. Mr. Gummoe had additional concerns over the mining being done in Folsom and asked if Ferris & Associates could be shut down.

**Lou DeStefano (3124 Pinewood Dr.)** questioned Council why the second Public Portion of the meeting was cancelled. Mr. DeStefano wanted information regarding Ordinance 05-2012.

**METTING CLOSED TO PUBLIC**

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

**BOROUGH OF FOLSOM  
ORDINANCE 04-2012**

**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 Council of the Borough of Folsom, County of Atlantic, State of New Jersey, as follows:

Section 1. The annual salaries of the officials, officers, and employees of the Borough of Folsom listed below shall be as follows:

**Salaried Positions**

Borough Clerk	\$25,000	-	\$39,988
Building Sub-Code Official	\$1,000	-	\$3,751
Chief Financial Officer	\$4,000	-	\$12,240
Construction Official	\$2,500	-	\$3,590
Council Member	\$1,700	-	\$2,500
Court Administrator	\$20,000	-	\$41,536
Deputy Emergency Management Coordinator	\$500	-	\$1,500
Electrical Sub-Code Official	\$1,000	-	\$3,751
Emergency Management Coordinator	\$500	-	\$1,500
Fire Safety Officer	\$1,000	-	\$1,664
Fire Sub-Code Official	\$1,000	-	\$3,751
Judge (based on 24 sessions annually)	\$1.00	-	\$9,184
Additional sessions (maximum 4)	\$350 per		session
Mayor	\$2,200	-	\$3,300
Plumbing Sub-Code Official	\$1,000	-	\$3,751
Public Defender	\$1.00	-	\$3,215
Tax Assessor	\$6,500	-	\$13,201
Tax Collector	\$6,500	-	\$14,572
Zoning Officer	\$1,800	-	\$4,080

**Hourly Positions:**

Clerical Assistant	\$ 7.00	-	\$11.00
Deputy Clerk	\$10.00	-	\$13.95
Deputy Court Administrator	\$8.50	-	\$13.95

Municipal Administrative Asst	\$25.00	-	\$75.00 per session
Part-time Laborer	\$7.00	-	\$10.00
Public Works Laborer	\$7.50	-	\$17.35
Supervisor Public Works	\$10.00	-	\$23.18
UCC Technical Asst/Planning & Zoning	\$10.00	-	\$13.50
Secretary			
Interpreter	\$25.00	-	\$50.00 per session

Section 2. The salaries and wages hereby established shall be on a bi-weekly basis with the exception of Mayor and Council, EMC, Deputy EMC and Fire Inspector, which shall be quarterly.

Section 3. The provision of this Ordinance shall be retroactive to January 1, 2012.

Section 4. Any Ordinance or part of Ordinance inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

Section 5. 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 March 14, 2012. 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 April 11, 2012 at 7:30 P.M.

**NO PUBLIC COMMENT**

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

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM  
ORDINANCE 05-2012**

**CALENDAR YEAR 2012**

**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 2.0% 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 2012 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 \$8,768.07 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 2012 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 \$621,384.00, and that the CY 2012 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 March 14, 2012 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 April 11, 2012 at 7:30 P.M.

**NO PUBLIC COMMENT**

A motion to approve was made by Councilman Kemmerer and seconded by Councilman Esposito

There was a roll call vote with ayes all.

**BUDGET RESOLUTIONS:**

**RESOLUTION 2012-34  
BOROUGH OF FOLSOM**

**SELF EXAMINATION OF BUDGET RESOLUTION  
(as required by DCA)**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to

the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Folsom has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

**NOW, THEREFORE BE IT RESOLVED** by the governing body of the Borough of Folsom that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has meet the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

There was a roll call vote with ayes all.

**BUDGET HEARING:**

**2012-35 ADOPTION OF 2012 MUNICIPAL BUDGET**

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

There was a roll call vote with ayes all.

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

**RESOLUTIONS:**

**RESOLUTION 2012-36  
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.

<u>Employee</u>	<u>Salaries</u>	<u>Salaries</u>
All Members of Council	Council Member	\$2,500
Ballistreri, Thomas	Deputy Emergency Mgmt Coordinator	\$750
Ballistreri, Thomas	Mayor	\$3,300
Cappuccio, Bertha	Tax Collector	\$14,572
DeYoung, Catherine	Court Administrator	\$41,536
Gatto, Patricia	Borough Clerk	\$36,000

Ingemi, Joseph	Tax Assessor	\$13,201
LaPollo, John	Zoning Officer	\$4,080
LaPollo, John	Emergency Management Coordinator	\$750.00
Newton, Patrick	Construction Official	\$3,589
Newton, Patrick	Building Sub-Code Official	\$3,751
Newton, Patrick	Plumbing Sub-Code Official	\$3,751
Newton, Patrick	Fire Sub-Code Official	\$3,751
Raso, Frank	Judge	\$9,184
Stollenwerk, Dawn	Chief Financial Officer	\$13,000
Strain, Robert	Fire Safety Officer	\$1,664
Volpe, Jerry	Electrical Inspector	\$3,751
Woolson, Charles	Public Defender	\$3,215

**Hourly Rates**

Blisard, Patrick	Public Works Laborer	\$17.35
LaPollo, John	Supervisor Public Works	\$23.18
Sutts, Gerald	Public Works Laborer	\$16.07
Thompson, Sherri	Clerical Assistant	\$11.00

**RESOLUTION 2012-37  
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING A REFUND FOR THE OVERPAYMENT OF 2012  
FIRST QUARTER TAXES**

**WHEREAS**, it has come to the attention of the Tax Collector that the properties listed below are owned by 100% Disabled Veterans and therefore due a refund of the 2012 first quarter property taxes:

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, that the following overpayments be refunded.

<b>BLOCK/LOT</b>	<b>AMOUNT</b>	<b>REFUND TO</b>
<b>1001/3</b>	<b>\$779.97</b>	<b>Wells Fargo</b>
<b>1001/7</b>	<b>\$259.40</b>	<b>Harry A. Petry</b>
<b>2713/451</b>	<b>\$605.13</b>	<b>BAC Tax Services</b>

**RESOLUTION 2012-38  
BOROUGH OF FOLSOM**

**A RESOLUTION GRANTING A RAFFLE 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 on June 1, 2012

**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.

**RESOLUTION #2012-39**

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

**RESOLUTION ACKNOWLEDGING TENURE AS  
SUPERINTENDENT OF PUBLIC WORKS**

**WHEREAS**, pursuant to Resolution 2006-31 John LaPollo was hired by the Borough of Folsom with the title of Supervisor of the Public Works Department; and

**WHEREAS**, notwithstanding John LaPollo having the title of Supervisor of the Public Works Department, he has his duties included supervising the care and maintenance of the Borough's streets, roads, avenues, public buildings, public places, and motor vehicles; and

**WHEREAS**, pursuant to N.J.S.A. 40A:9-154.5, qualification as a municipal Superintendent of Public Works depends upon the actual duties of the officer or employee and not the specific job title which may be given; and

**WHEREAS**, based upon the actual duties delegated to John LaPollo and the duties carried out by him, he has qualified as the Borough's Municipal Superintendent of Public Works and is entitled to tenure pursuant to Section 41-30 of the Folsom Code and N.J.S.A. 40A:9-154.6 of the New Jersey Statutes.

**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:

1. John LaPollo is acknowledged to have tenure within the Borough of Folsom as its Municipal Superintendent of Public Works.
2. John LaPollo shall hold the office, position and employment as Municipal Superintendent of Public Works during good behavior and efficiency and shall not be removed therefrom for political or other reasons except for good cause, upon written charges filed with the municipal clerk and after public, fair and impartial hearing.

A motion to approve Resolutions 2012-36 through 2012-39 was made by Councilman Olive and seconded by Councilman Esposito

There was a roll call vote with ayes all.

**SOLICITOR'S REPORT:** Mr. Fitzgerald briefly discussed the upcoming Land Sale.

**FIRE CHIEF'S REPORT:** Councilman Esposito read the report for Chief Donnelly who could not attend. Chief Donnelly gave a breakdown of calls. Chief Donnelly also reported that their much needed addition is completed and that the Fire Company had purchased a turbo-draft. He also noted that the new members have been familiarizing themselves with the equipment and updating addresses and cross streets for the County Dispatch Center.

**ENGINEER'S REPORT:** Gary Auer updated Mayor and Council on the 2012 CDBG. Mr. Polistina will be having a meeting with Ferris & Associates sometime next week. Mr. Auer noted that Mr. Polistina is still waiting on a response from DEP regarding the flooding issues.

**MAYOR'S REPORT:** Mayor Ballistreri noted he already discussed the Budget this evening.

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

**Councilman Ron Esposito** noted the "Welcome to Folsom" sign will be moved back on Borough property. Mayor Ballistreri thanked Councilman Esposito for his work for the past two years on this project.

**Councilman Matt Olive** noted that fields are in good condition and that the Port-A-Pots are in place.

**Councilman Gary Kemmerer** thanked Dawn Stollenwerk for her work on the Budget and also thanked the Public Works Department for doing a great job on a tight budget. Councilman Kemmerer also congratulated John LaPollo on his tenure.

**Councilman Greg Schenker:** No report (absent)

**Councilman Butch Gazzara:** thanked Dawn Stollerwerk for her work on the Budget. Councilman Gazzara congratulated John LaPollo on his tenure. Councilman suggested that he would like to get a list of all disabled residents addresses in case of a disaster so we can provide immediate help.

**Councilman George Eckhardt:** congratulated John LaPollo and thanked Dawn Stollenwerk.

**Public Comment on the Council Members Reports: No Public Comment**

**PAYMENT OF BILLS IN THE AMOUNT OF \$176,679.31**

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

There was a roll call vote with ayes all.

Mayor Ballistreri 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 Wednesday, May 9, 2012 starting with a 1 hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:30 pm in Borough Hall, 1700 12<sup>th</sup> Street, Folsom, NJ

**Meeting Adjourned at 8:28 PM**

Respectfully submitted,

Patricia M. Gatto  
Acting Municipal Clerk