

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
April 10, 2013**

MEETING CALLED TO ORDER: 7:18 PM

SALUTE TO THE FLAG LED BY MAYOR TOM 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, Gazzara, Esposito, Kemmerer, Gummoe and Smith

Absent: Councilman Schenker

Also present: Mayor Tom Ballistreri, Solicitor Mike Fitzgerald and CFO Dawn Stollenwerk

APPROVAL OF WORKSHOP MINUTES FROM March 13, 2013

A motion to approve the minutes was made by Councilman Esposito and seconded by Councilman Gummoe

APPROVAL OF THE MINUTES FROM March 13, 2013

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

MEETING OPEN TO PUBLIC:

Marie Anastasia (1315 13th St) stated she was happy to see the potholes on Rt 54 were repaired. She thanked everyone who was involved in the cleanup of the Veteran's Memorial.

Brigita Foldats (323 Cedar Lake Drive) thanked Mayor and Council for doing a nice job.

ORDINANCES:

(Second Reading/Adoption)

**BOROUGH OF FOLSOM
ORDINANCE 02-2013**

**CALENDAR YEAR 2013
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

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 2013-37
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
MOWERS**

WHEREAS, the Borough of Folsom has a need to acquire mowers as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer/Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, Laurel Lawnmower Service, Inc. has submitted a proposal dated March 5, 2013 indicating they will provide two (2) 60" mowers for the total price of \$21,227.00; and

WHEREAS, Laurel Lawnmower Service, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Laurel Lawnmower Service, Inc. has not made any reportable contributions to a political party or candidate for Council in the Borough of Folsom in the previous one year, and that the contract will prohibit Laurel Lawnmower Service, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the funds will be encumbered by purchase order on an as needed basis, as required by pursuant to N.J.A.C 5:30-5.4,

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Folsom authorizes the Borough Clerk to enter into a contract with Laurel Lawnmower Service, Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**RESOLUTION 2013-38
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 2013 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.

**RESOLUTION 2013-40
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING THE APPLICATION OF THE FOLSOM MUNICIPAL
ALLIANCE GRANT**

WHEREAS, the council of the Borough of Folsom, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, The Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Folsom, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for the Folsom Municipal Alliance grant for the calendar year 2013 in the amount of \$7,780.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION 2013-41
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING THE APPLICATION OF THE FOLSOM MUNICIPAL
ALLIANCE GRANT**

WHEREAS, the council of the Borough of Folsom, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, The Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Folsom, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for the Folsom Municipal Alliance grant for the calendar year 2012 in the amount of \$7,780.00
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION 2013-42
BOROUGH OF FOLSOM**

A RESOLUTION APPROVING THE FILING OF THE 2012 RECYCLING TONNAGE GRANT

WHEREAS, The Mandatory Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection had promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants (for calendar year 2012) will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Folsom to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulation; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Folsom, County of Atlantic, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates John LaPollo to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

A motion to approve Resolutions 2013-37, 2013-38, 2014-40 through 2013-42 was made by Councilman

BUDGET HEARING:

2013-29 ADOPTION OF THE 2013 MUNICIPAL BUDGET

OPEN TO PUBLIC FOR COMMENTS: No comments

A motion to approve Resolution 2013-39 was made by Councilman Kemmerer and seconded by Councilman Gummoe

There was a roll call vote with ayes all approving the specifications and the authorization for the Borough of Folsom to advertise and receive bids for:

Super Duty Diesel Truck and Medium Duty Diesel Truck

CLERK'S CORRESPONDENCE: None

SOLICITOR'S REPORT: No report

FIRE CHIEF'S REPORT: Councilman Esposito read the fire report for Chief Donnelly. There were three (3) calls for the month of March. Twenty-seven (27) helmets were purchased and placed into service. The Fire Department will be having its annual hoagie sale on Saturday, April 27, 2013 at the station.

ENGINEER'S REPORT: Gave report in Workshop Meeting

MAYOR'S REPORT: Mayor Ballistreri thanked everyone who worked on the Budget. Mayor stated that they passed a good budget with a minimal increase and without cutting any services that Folsom residents have become accustomed to. Mayor Ballistreri also thanked the Public Works Department and the Athletic Association for the great job they do with the Parks and Athletic Fields.

COUNCIL MEMBER'S REPORTS:

Councilman Ron Esposito: thanked Public Works for the great job they do on the fields. Councilman Esposito stated the 13th Street Parking lot was full last night and the basketball court was being utilized. Councilman Esposito expressed his thanks to Eagle Scout Daniel Schenker for his work on the basketball court.

Councilman Greg Schenker: Absent

Councilman Byron Gummoe: reported that the Borough will receive fifty (50) trees from the Shade Tree Foundation for Arbor Day.

Councilman Gary Kemmerer: No report

Councilman Butch Gazzara: warned residents of potholes in the Penny Pot area. Councilman Gazzara stated that the County has hired an Engineer for the Bridge Design. It is a slow process and Mayor and Council are doing everything they can to speed it up. Councilman Gazzara thanked Dawn for her work on the Budget. Councilman Gazzara also discussed a letter he received from Sherri Thompson regarding braking noise on Mays Landing Road. He suggested maybe placing a warning sign.

Councilman Kyle Smith: reported that he met with the Collings Lakes Civic Association and new President Eric Kurtz regarding dam repairs. The Civic Association reported that their loan application was denied by the State and they are attempting to raise money for repairs. Mayor Ballistreri suggested maybe call Congressman LoBiondo's office to see if there is any grant help for repairs.

Councilman Smith cautioned residents to pay more attention when driving since the weather has changed and more people are out.

MEETING CLOSED

PAYMENT OF BILLS IN THE AMOUNT OF \$223,151.43

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

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 8, 2013 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 7:55 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk