

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
April 13, 2016**

MEETING CALLED TO ORDER: 7:31 PM

SALUTE TO THE FLAG LED BY Mayor DeStefano

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: Pagano, Arena, Veneziani and Gummo

Absent: Councilman Smith and Councilman Jantz

Also present: Mayor Lou DeStefano, Attorney, Fran Ballak, and Engineer Gary Auer

APPROVAL OF THE WORKSHOP March 9, 2016

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

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

APPROVAL OF THE MINUTES FROM March 9, 2016

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

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

APPROVAL OF THE EXECUTIVE MINUTES FROM March 9, 2016 (Ferris)

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

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

Mayor DeStefano rescinded the motion to approve the March 9, 2016 Executive Session Minutes (Ferris) due to not enough Council votes and will be place on the May Agenda.

APPROVAL OF THE EXECUTIVE MINUTES FROM March 9, 2016 (Re-Val)

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

There was a roll call vote with ayes all with the exception of Councilman Gummoë's abstention. (Mayor included in vote).

MEETING OPEN TO PUBLIC: No comments

CLERK'S CORRESPONDENCE: Ms. Gatto reminded residents that the Clerk's office is open until 7:00PM on Monday evenings.

Ms. Gatto thanked Superintendent John LaPollo and the Public Works Department for helping stuff 625 Easter eggs for the Easter Egg Hunt.

RESOLUTIONS:

BUDGET HEARING:

**RESOLUTION 2016-54
BOROUGH OF FOLSOM**

A RESOLUTION TO ADOPT AND READ THE BUDGET BY TITLE ONLY

WHEREAS, the local municipal budget for the year 2016 was approved on the 9th day of March 2016; 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 held April 13, 2016 as advertised; and

NOW, THEREFORE BE IT RESOLVED, this Resolution was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12th St., Folsom, NJ on the 13th day of April, 2016 at 7:00pm.

Public Hearing and Resolution to Adopt and Read the 2016 Municipal Budget by Title Only

Public Comment

Open all in favor Close all in favor

May I hear a motion to move Resolution 2016-54

MOTION _____ **CA** _____ **SECOND** _____ **MV** _____

ROLL CALL:

Smith Jantz Pagano Arena Veneziani Gummoë

DeStefano (tie) _____

This Resolution was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12th St., Folsom, NJ on the 13th day of April, 2016 at 7:00pm.

A motion to approve Resolution #2016-54 was made by Councilman Arena and seconded by Councilwoman Veneziani

OPEN TO THE PUBLIC:

There was a roll call vote with ayes all

**RESOLUTION 2016-03(Revised)
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
AUDITOR FOR THE YEAR 2016**

WHEREAS, N.J.S.A. 40A:5-4 provides that the Governing Body of every local unit shall cause an annual audit of its books, accounts and financial transactions to be made after the close of the fiscal year and for that purpose shall employ a Registered Municipal Accountant of the State of New Jersey; and

WHEREAS, the Borough of Folsom has procured the audit as a NON-FAIR AND OPEN contract pursuant to the provisions of N.J.S.A 10:44A-20.4 (or 20.5 as appropriate); and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed **\$17,500**; and,

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by the Governing Body; and

WHEREAS, Ford, Scott & Associates, LLC has submitted a proposal dated **December 2, 2015** indicating they will provide the audit for a fee of **\$18,500** and

WHEREAS, Ford, Scott & Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ford, Scott & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Folsom in the previous one year, and that the contract will prohibit Ford, Scott & Associates, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the Resolution authorizing the award of contracts for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic, State of New Jersey that:

The Borough Council authorizes the Mayor to enter into a contract with Harvey Coccozza, Jr., CPA, RMA of Ford, Scott & Associates, LLC as described herein; and,

That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.

That a copy of this Resolution be published in the Hammonton Gazette, as required by law, within ten (10) days of its passage.

That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein in verbatim.

That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A motion to approve Resolution #2016-03 was made by Councilman Arena and seconded by Councilwoman Veneziani.

There was a roll call vote with ayes all

**BOROUGH OF FOLSOM
RESOLUTION #2016-53**

Resolution Increasing the Bid Threshold Pursuant to N.J.S.A. 40A:11-3a.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$40,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.A. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Dawn Stollenwerk possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq. and was appointed by the Borough of Folsom on December 11, 2003; and

WHEREAS, Dawn Stollenwerk desires to take advantage of the increased bid threshold.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Folsom in the County of Atlantic, in the State of New Jersey hereby increases its bid threshold to forty thousand dollars (\$40,000.00).

A motion to approve Resolution #2016-53 was made by Councilwoman Veneziani and seconded by Councilman Arena.

**BOROUGH OF FOLSOM
RESOLUTION 2016-55**

**A RESOLUTION AUTHORIZING THE BOROUGH OF FOLSOM TO PARTICIPATE IN THE
ATLANTIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the Mayor and Council of the Borough of Folsom has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program; and

WHEREAS, as a participant, the Borough of Folsom expects to be allocated \$15,000.00 for Fiscal Year 2016; and

WHEREAS, in order to be allocated CDBG funds, the Borough of Folsom must enter into an interlocal service agreement with the Atlantic County Improvement Authority which is the administrator of the Atlantic County CDBG Entitlement Program,

NOW THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and the Mayor and Council of the Borough of Folsom, which is attached hereto, is approved and the Chief elected Official and the Municipal Clerk are authorized to sign said agreement.

A motion to approve Resolution #2016-55 was made by Councilman Pagano and seconded by Councilman Arena

There was a roll call vote with ayes all

SOLICITOR'S REPORT: Fran Ballak-no report discussed in Workshop

FIRE CHIEF REPORT: No Chief Report

ENGINEER'S REPORT:

2014 Community Development Block Grant Funding - ADA Access Project

All of the required documents have been forwarded to the Atlantic County Improvement Authority (ACIA) for their review. Once approved the Borough can expect the issuance of the reimbursement funds.

FY15 State Aid Project - 8th Street

The contractor, Arawak Paving, returned this past week and completed the work to pave the remaining section of 8th Street leading up to the municipal border with Hammonton. The total length was approximately 290 linear feet. There were sufficient funds remaining in to cover the additional paving.

We are continuing to have ongoing discussions with Arawak on how they plan to resolve the transition from the bridge to the roadway at the beginning of the project. Final payment will not be recommended until the work is completed as per the design plans.

FY16 State Aid Project - 14th Street

The Borough received formal acknowledgment that funding has been approved for the Resurfacing of 14th Street in the amount of \$190,000.00. The length of the project is approximately 4,700 linear feet, starting at the end of Phase I and continuing up to Mays Landing Road. The estimate on the total construction costs is approximately \$300,000, so the grant will permit the Borough to split the project up into phases.

Our office has forwarded the proposal to complete the design and construction management services for review and approval.

2016 Community Development Block Grant Funding

The resolution authorizing our office to submit an application on behalf of the Borough for the funding from the Atlantic County Improvement Authority (ACIA) is on tonight's agenda. Our office is looking for input from Mayor and Council on determining the next round of projects.

NJDOT - Safe Routes to School Program

This past month the Borough received notification from the NJDOT requesting applications for the Safe Routes to School Program (SRTS). The funding is for projects located within a two miles radius of an elementary school, to encourage children to walk or bicycle to school. Funding is available for only the construction portion of any infrastructure projects. The deadline for all applications is June 27, 2016.

MAYOR'S REPORT: Mayor DeStefano congratulated Jonathan Matarano on his winning essay for the Louis Bay 2nd Scholarship Contest. His essay was forwarded to Trenton and the Mayor wished him good luck. Mayor DeStefano reported that we did receive approval for funding for 14th St. Mayor DeStefano thanked John LaPollo for having a monthly report read at the Council meetings. Mayor DeStefano reported that he met with South Jersey Gas and South Jersey Industries and that South Jersey Gas is leaving Folsom however South Jersey Industries is staying and they will be doing some upgrades to the building. GO FLYERS!!!

Councilman Pagano asked the Mayor to give a report on the Mayors Association meeting. Mayor DeStefano stated that he didn't attend. Councilman Pagano suggested that the Mayor should attend these meetings and bring the information back to Council.

COUNCIL MEMBER'S REPORTS:

Councilwoman Veneziani: stated that there is no report for Atlanticare because they will be sent quarterly. Councilwoman Veneziani announced the students of the month for March. Councilman Veneziani congratulated all the students. Councilwoman also reported that the parents and the students were very excited and appreciated the Easter Egg Hunt the Borough sponsored. Councilwoman Veneziani reported that the Borough and Hammonton were having discussions on a court merger. The Court Consolidation Committee along with Mayor DeStefano has decided that it is not in the best interest of Folsom to merge courts and the court will be staying in Folsom and will be updating the court window. (Inaudible)

Councilman Kyle Smith: absent-no report

Councilman Ken Jantz: absent- no report

Councilman Ben Pagano: asked Mayor DeStefano why he doesn't attend the monthly Mayor's meetings. Mayor DeStefano asked for his committee report. Councilman Pagano thanked Council for all their actions regarding the Mayor's Facebook post. Councilman Pagano thanked the Personnel Committee for meeting with the Mayor on Good Friday for two (2) hours demanding his resignation. Councilwoman Veneziani asked Councilman Pagano not to speak on their behalf. Fran Ballak stated that you are heading into issues that are not committee reports and that this is not the appropriate time to discuss these issues. Councilman Gummoe left the meeting and Mayor DeStefano stated that the meeting is now in recess. Councilman Pagano asked for the Mayor's resignation. Attorney Fran Ballak requested a five minute recess.

Recess began at 7:49PM

Returned from Recess at 7:56PM.

Councilman Pagano reported that he attended the League of Municipalities meeting and Prosecutor Jim McClain spoke about the Court Reform Bail Act that will happen in January 1, 2017.

Councilman Charlie Arena: read the public works department monthly report.

Safety inspection of emergency lighting / fire extinguishers Borough hall and public works buildings. Safety inspection of 4 parks and all ball fields monthly and after every storm. Found storm damage in the 13th. St. Park. Public works dept. removed 5 down trees in 13th St. park 2 large 3 small removed hazard trees from 4th rd. 13th. St. 8th. St. Cedar lake dr. and Pine St. Did spring clean-up of Penny Pot Park, Falcons nest Park and 13th. St. Park remove all debris from parks. And Borough Hall, also started cutting grass at all ball fields and Borough Hall. Removed approximately 40 tons of sand from girl's soft ball field and put in 40 tons of infield mix regarded field. In addition The DPW. Picked up 32 tons of infield mix That was donated by Dun Rite sand and gravel (the FAA worked that deal out) Salted road ways due to winter weather The Public Works Dept. also stuffed Easter eggs and worked the Borough Easter egg hunt. Also worked Rabies clinic and E-waste collection day. Picked up 500 trees for the schools Arbor Day event. The monthly chipping program the DPW chipped 80 cubic yards of chipping. (This does not include hazard tree removal or storm damage tree in parks.) We started spring leaf collection in the first week we collected 75 cubic yards of leaves. After inspecting roads throughout the Borough made repairs to numerous potholes On April 6 The communications tower at the fire house had fallen over due to rotted steel the DPW cut up and removed from property. Took tires and concrete pillars to proper recycling facilities. Made necessary repairs to leaf-vac. and serviced backhoe and leaf vac. Councilman Arena updated Council on the Parks and Rec meeting last night. Councilman Arena wanted to thank Jacob Blazer (Coach) on securing infield mix at no charge to the Borough. Superintendent John LaPollo spread the infield mix donated by Dune Rite Co. Charlie also reported that the FAA is going to replace the Brittany Rodio and the Anthony Goulden sign at the T-Ball field that was damaged. The FAA will dedicate that sign at their T-Ball game on June 3. Councilman Arena asked John LaPollo to repair the fence at the T-Ball field that is starting to curl up.

Councilman Byron Gummoe: No report

Trooper Campagna spoke briefly on the letter the Borough received regarding the left hand turn into Wawa. Trooper Campagna stated that he or his Lieutenant will get in contact with the NJDOT explaining to them that they are only looking for a few no left turn signs. Trooper Campagna also stated that they will be contacting Wawa in the near future in hopes that they can make some changes.

Trooper Campagna gave the February and March police reports.

Mayor DeStefano informed Trooper Campagna that the Borough is still working on the False Alarm Ordinance and should changes for next month.

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY:

Ben Pagano (**2201 14th Street**) Councilman Pagano thanked each and every one on Council for all their actions taken regarding the Facebook post by Mayor DeStefano. Councilman Arena left the meeting. Councilman Pagano stated he is was humbled by the unanimous agreement asking the Mayor to resign. Mr. Pagano complimented the Personnel Committee for meeting with the Mayor on Good Friday for two (2) hours demanding his resignation. Councilwoman Veneziani

asked Mr. Pagano not to speak on their behalf. Councilwoman Veneziani stated that the meeting was confidential and is in Mediation and has nothing to do with the Borough. Councilman Pagano stated that he was not informed that it was confidential. Councilwoman Veneziani explained her position as Personnel Committee. Attorney Fran Ballak stated that if you continue talking other Council members are beginning to walk out and to please stop talking so we can continue the meeting. If more members walk out the meeting will have to cease the meeting. Council Pagano continued reading his statement and asked for the Mayors resignation again.

PAYMENT OF BILLS IN THE AMOUNT OF: \$567,362.20

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

There was a roll call vote with ayes all including the Mayor.

Mayor 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 along with the Folsom Borough Facebook Page.

The next regular meeting of Mayor and Council will be held on Wednesday, May 11, 2016 starting with a hour workshop meeting at 6:00 pm and continuing with the regular meeting at 7:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

RESOLUTION:

**RESOLUTION 2016-56
BOROUGH OF FOLSOM**

**AN OPEN PUBLIC MEETINGS ACT - EXECUTIVE SESSION
(LEGAL)**

WHEREAS, N.J.S.A. 10:4-12, the New Jersey Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Council of the Borough of Folsom has determined that such circumstances presently exist and that Council is authorized to enter into an executive session from which the public will be excluded;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, County of Atlantic and State of New Jersey that:

1. The public shall be excluded from discussion of the subject matter set forth herein; and
2. The general nature of the subject matter to be discussed is Kerr Concrete tax appeal.

3. It is anticipated at this time that the above matter will only be made public upon a specific request to the Folsom Council and a determination by the Council that matter no longer need remain confidential; and
4. Upon the conclusion of the closed session Council will return to the public session and action may be taken at such time; and
5. This Resolution shall take effect immediately.

A motion to approve Resolution #2016-56 was made by Councilman Pagano and seconded by Councilman Arena.

There was a roll call vote with ayes all with Mayor DeStefano included.

Entered into Executive Session at 8:14PM

Returned from Executive Session at 8:25PM

With no other discussion the meeting was adjourned at 8:26PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk