

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

MEETING CALLED TO ORDER: 7:43 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, Eckhardt, Schenker, Esposito, and Kemmerer

Absent: Councilman Olive and Councilman Gazzara

Also present: Attorney Mike Fitzgerald and Engineer Gary Auer

APPROVAL OF THE WORKSHOP MINUTES June 13, 2012

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

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

APPROVAL OF THE MINUTES FROM June 13, 2012

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

There was a roll call vote with ayes all with the exception of Councilman Eckhardt Abstention.

MEETING OPEN TO PUBLIC:

GUEST SPEAKER: Mr. Fred Profeta President of Eco-Matters gave a presentation on Solar Energy.

Christine Parker (1404 Backline Rd.) questioned Mayor and Council on salary increases to Borough employees. Ms. Parker also questioned the Fire Company ligation.

Larry Smith (121 Fenimore Dr.) expressed his disapproval of Mayor and Council regarding the handling of the Fire Company.

Kathy McGee (210 E. Collings Dr.) expressed her disapproval that the records were not presented at the meeting when the closing of the Fire Co. was discussed.

Linda Slater (219 Fenimore Dr.) questioned Mayor and Council how she can get the facts regarding the Fire Co. litigation.

CLERK'S CORRESPONDENCE: No Clerk Correspondence

ORDINANCES: (SECOND AND FINAL READING)

ORDINANCE 06-2012

**AN ORDINANCE OF THE BOROUGH OF FOLSOM
VACATING PORTIONS OF ROAD B AND ROAD C**

WHEREAS, the Borough of Folsom has received a request for the vacation of portions of Road B and Road C; and

WHEREAS, the Borough has determined that it has no need for these portions of right of way; and

WHEREAS, N.J.S.A. 40:67-1 allows for the vacation of these portions of right of way of Road B and Road C.

NOW, THEREFORE, be it ordained by the Borough Council of the Borough of Folsom, Atlantic County, New Jersey that the Borough hereby vacates its interests in the portions of right of way of Road B and Road C described more fully in the descriptions attached hereto as Exhibit A and Exhibit B prepared by Thomas A. Prendergast, PLS, dated May 10, 2012, and such right of way interest in the property is hereby returned to the adjacent properties being identified as lot 1 of block 2805 on the tax map of the Borough of Folsom.

BE IT FURTHER ORDAINED that the vacation of the portions of Road B and Road C is subject to an express reservation and exception from vacation all rights and privileges, if any, possessed by public utilities as defined in N.J.S.A. 40A:2-13 and by any cable television company as defined in N.J.S.A. 40A:5A-1 et seq. to maintain, repair and replace their existing facilities in, adjacent to, over or under the road or any part thereof, being vacated.

BE IT FURTHER ORDAINED that the public interest in the vacated portions of Road B and Road C are released in favor of the owner of adjacent lot 1 of block 2805.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED if any provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such provision and the remainder of this Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon its 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 of the Borough of Folsom, County of Atlantic and State of New Jersey held on the 13th day of June, 2012 and said Ordinance will be further considered for final passage, and adoption at a public hearing to be held in the Borough of Folsom Municipal Building, 1700 12th Street, Folsom, New Jersey on the 11th day of July, 2012 at 7pm or as soon thereafter as the matter may be reached.

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

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 2012-53
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2012 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 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 2012 in the sum of \$4,858.09, which is now available from the 2012 Clean Communities Program.

BE IT FURTHER RESOLVED, that the like sum of \$4,858.09 is hereby appropriated under the caption 2012 Clean Communities; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2011 Clean Communities Program in the amount of \$4,858.09.

**RESOLUTION 2012-54
BOROUGH OF FOLSOM**

**A RESOLUTION TO CANCEL CERTAIN GRANT RECEIVABLE BALANCES IN THE
CURRENT FUND BALANCE**

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

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

AND WHEREAS, it is also necessary to formally cancel the Borough's matching portion of the grant balance and credit said balances to the Current Fund Balance;

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

	<u>Grant Receivable</u>	<u>Appropriation Reserve</u>
NJDOT 2010	\$25,864.41	\$25,864.41

**RESOLUTION 2012-55
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER AND PLACE-
TO-PLACE TRANSFER OF RETAIL PLENARY CONSUMPTION LICENSE
#0110-33-006-003 CHALMERS ENTERPRISES, INC. TO COLLINGS LAKES FOOD
MARKET, INC. LOCATED AT 10 BLACK HORSE PIKE, FOLSOM, NJ 08037**

WHEREAS, an application has been filed for Person-to-Person and Place-to-Place Transfers of Plenary Retail Consumption License Number 0110-33-006-003, heretofore issued to Chalmers Enterprises, Inc.; and

WHEREAS, Collings Lake Food Market, Inc. located at 10 Black Horse Pike, Folsom, NJ 08037 has submitted a Division of Alcoholic Beverage Control Application and a New Jersey State Police Background Investigation report; and

WHEREAS, application for the Division of Alcoholic Beverage Control is complete in all respects, the transfer fees have been paid, the license has been properly renewed for the current license term; and a transfer tax clearance has been received; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Folsom, does hereby approve effective July 11, 2012 the Person-To-Person and Place-to-Place Transfers of Plenary Retail Consumption License No. 0110-33-006-003 heretofore issued to Collings Lake Food Market, Inc. located at 10 Black Horse Pike, Folsom, New

Jersey, and does hereby direct the Alcoholic Beverage Control Secretary to endorse the license certificate to the new ownership.

**RESOLUTION 2012-56
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING
THE APPOINTMENT OF A MUNICIPAL JUDGE**

WHEREAS the current term for the Borough of Folsom's Municipal Judge expires July 17, 2012,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the Honorable Frank J. Raso be appointed as Municipal Judge for the Borough of Folsom, for the term of three years, commencing July 18, 2012 to July 17, 2015.

**RESOLUTION 2012-57
BOROUGH OF FOLSOM**

A RESOLUTION APPOINTING A REGISTRAR OF VITAL STATISTICS

WHEREAS, there is a need for the appointment of Registrar of Vital Statistics; and

WHEREAS, Patricia Gatto and has indicated a willingness to serve in such position; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom that Patricia Gatto is hereby appointed Registrar of Vital Statistics, in and for the Borough of Folsom, for a one year term commencing July 13, 2012.

**RESOLUTION 2012-58
BOROUGH OF FOLSOM**

A RESOLUTION TO EXTEND THE TAX DUE DATE AND INTEREST ON TAXES

WHEREAS, by the governing body of the Borough of Folsom the third installment of current year taxes shall not be subject to interest until the later of August 1, 2012, the additional interest-free period authorized pursuant to R.S.54: 4-67, or the twenty-fifth calendar day after the date that the tax bill for the third installment was mailed or otherwise delivered.

NOW THEREFORE BE IT RESOLVED, that any payment received after the later of August 1, the additional interest-free period authorized pursuant to R.S.54: 4-67, or the twenty-fifth

calendar day after the date that the tax bill for the third installment was mailed or otherwise delivered will be charged interest back to August 1, 2012.

A motion to approve Resolutions 2012-53 through 2012-58 was made by Councilman Kemmerer and seconded by Councilman Eckhardt

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: No report.

FIRE CHIEF'S REPORT: Councilman Esposito read the Monthly report for Chief Donnelly.

ENGINEER'S REPORT: No report

MAYOR'S REPORT: Mayor Ballistreri thanked the Borough staff and CFO, Dawn Stollenwerk for another excellent audit. Mayor Ballistreri apologized to the residents after hearing some comments this evening regarding the closing of the Fire Co. Mayor Ballistreri stated he should have done a better job in presenting the Borough's side of the story in relation to the closing of the Fire Co. and presenting the facts and figures that supported Council's decision to close the Fire Co.,.

COUNCIL MEMBER'S REPORTS:

Councilman Ron Esposito thanked the Public Works Department for the storm damage clean up. Ron also stated the "Welcome to Folsom" sign was damaged during the storm and will be repaired this week.

Councilman Matt Olive: No report (Absent)

Councilman Gary Kemmerer thanked John LaPollo for the storm clean up. He reminded residents to be patient with the crew they will be around to collect debris.

Councilman Greg Schenker informed residents that he is still collecting roof estimates. Due to the storm there have been some delays.

Councilman Butch Gazzara was out of town this evening and asked Councilman Eckhardt to thank the Public Works for their efficient storm clean up on his behalf.

Councilman George Eckhardt thanked John LaPollo and his men for his storm damage clean up. George stated the some trees at the park were damaged by vandals.

Public Comment on the Council Members Reports:

Kathy McGee (210 E. Collings Dr.) questioned the address listed on Resolution 2012-55 for Collings Lake Food Market.

AMENDED RESOLUTION 2012-55 –CHANGE OF ADDRESS

A motion to approve payment was made by Councilman Kemmerer and seconded by Councilman Schenker

There was a roll call vote with ayes all.

PAYMENT OF BILLS IN THE AMOUNT OF \$183,416.68

A motion to approve payment was made by Councilman Kemmerer and seconded by Councilman Eckhardt

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.

Mayor Ballistreri announced effective August 8, 2012 that Regular Council Meetings will convene at 7:00 PM instead of 7:30PM.

The next regular meeting of Mayor and Council will be held on Wednesday, August 8, 2012 starting with a 1 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 8:55 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk