

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
June 11, 2014**

MEETING CALLED TO ORDER: 7:11PM

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 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, Kemmerer, Veneziani

Absent: Councilman Gummo

Also present: Solicitor Fran Ballak, Engineer Sam Agresta and CFO Dawn Stollenwerk

APPROVAL OF THE WORKSHOP MINUTES FROM May 14, 2014

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

There was a roll call vote with ayes all.

APPROVAL OF THE MINUTES FROM May 14, 2014

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

There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC:

Lt. Frank Babinchock Folsom State Police Station Commander updated Mayor, Council and residents on incidents in Folsom for the past couple of months.

MEETING CLOSED TO PUBLIC

CLERK'S CORRESPONDENCE: Ms. Gatto informed residents that the Borough will be having its first annual shredding day on June 28, 2014 from 9:00AM until 12:00PM at the Borough Hall Parking Lot. This is for individuals only-no businesses.

Ms. Gatto also informed residents that Borough Hall offices will be closed on Friday, July 4, 2014.

Ordinances:

ORDINANCE (Second Reading/Final Adoption)

**BOROUGH OF FOLSOM
ORDINANCE NO. 3-2014**

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF UNIMPROVED LAND DESIGNATED BLOCK 3406, LOT 7; ON THE TAX MAP OF THE BOROUGH OF FOLSOM, BY THE BOROUGH OF FOLSOM, COUNTY OF ATLANTIC AND 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 I. The Borough has been notified by the current owner of Block 3406, Lot 7 that they would like to donate said property of unimproved ground to the Borough of Folsom.

SECTION II. The local lands and buildings law, NJSA 40A:12-1, et seq., authorizes the Borough to accept such properties by ordinance.

SECTION III. The Mayor and Council has determined that it is in the public interest to accept the property and direct the Solicitor to prepare a deed conveying the property from the Estate of Joseph Ingemi, 3310 South Pinewood Drive, to the Borough of Folsom

SECTION IV. All ordinances or parts of ordinances or any resolution of the Mayor and Council of the Borough of Folsom inconsistent herewith is repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall take effect immediately after final adoption 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 May 14, 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 June 11, 2014 at 7:00 P.M.

NO PUBLIC COMMENT

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

There was a roll call vote with ayes all.

There was a roll call vote with ayes all to table Ordinance #04-2014 and take another look at the issue at a later meeting.

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 2014-50
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 2013-2014;

0110-44-005-003	Bell Liquor Store, Inc. 1002 Black Horse Pike Folsom, NJ 08037	\$360.00
0110-33-001-002	Folsom Inn, Inc. 40 East Black Horse Pike Folsom, NJ 08037	\$420.00
0110-33-006-005	Collings Lakes Food Market, Inc. T/A Rest A While Bar & Grill 10 East Black Horse Pike Folsom, NJ 08037	\$420.00
0110-33-003-006	Smashed Hat Tavern, Inc. 1409 Black Horse Pike Folsom, NJ 08037	\$420.00
0110-33-004-006	Namah Shivay, Inc. 3125 Vine Road Vineland, NJ 08360	\$420.00

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 July 1, 2014

**RESOLUTION 2014-51
BOROUGH OF FOLSOM**

A RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF PROPERTY TAXES

WHEREAS, it has come to the attention of the Tax Collector that an overpayment have been made to the property listed below and a refund will be given to:.

<u>NAME</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>
Karen Pratt	1502/5	\$1,247.68

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, that the overpayment of the 2014 first quarter taxes will be refunded.

**RESOLUTION 2014-52
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2014 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 2014 in the sum of \$5,350.44, which is now available from the 2014 Clean Communities Program.

BE IT FURTHER RESOLVED, that the like sum of \$5,350.44 is hereby appropriated under the caption 2014 Clean Communities; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2014 Clean Communities Program in the amount of \$5,350.44

**ESOLUTION 2014-53
BOROUGH OF FOLSOM**

AN OPEN PUBLIC MEETINGS ACT - EXECUTIVE SESSION

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 a Personnel matter involving the employment, terms and conditions of employment, evaluation of performance of, or disciplining of a specific public officer or employee; and
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.

RESOLUTION 2014-54 WAS A ROLL CALL VOTE WITH AYES ALL TO BE TABLED.

**BOROUGH OF FOLSOM
RESOLUTION 2014-55**

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

WHEREAS, bids were accepted on June 11, 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 Pioneer Pole Building, Inc.; and

WHEREAS, the amount of the Bid submitted by **Pioneer Pole Building, Inc.**, is \$34,750.00; 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 Pioneer Pole Building, Inc. is hereby awarded the contract for the Construction of a Public Works Building, Contract No. 17-B for the amount of \$34,750.00.

A motion to approve Resolutions 2014-50 through 2014-53 and Resolution 2014-55 was made by Councilman Kemmerer and seconded by Councilman Gazzara.

There was a roll call vote with ayes all.

A MOTION WAS MADE BY COUNCILMAN DESTEFANO AND SECONDED BY COUNCILMAN KEMMERER TO MOVE TO EXECUTIVE SESSION WITH A ROLL CALL VOTE WITH AYES ALL AT 7:31 PM TO DISCUSS THE LEGAL IMPLICATIONS OF ORDINANCE #04-2014 TO CREATE A JOINT MUNICIPAL COURT.

A MOTION WAS MADE BY COUNCILMAN DESTEFANO AND SECONDED BY COUNCILMAN KEMMERER WITH A ROLL CALL VOTE WITH AYES ALL AT 7:49 PM TO ENTER BACK IN THE OPEN PUBLIC MEETING.

SOLICITOR'S REPORT: Fran Ballak stated that two (2) of the tax appeals that were heard last week at the Atlantic County Tax Court and have been resolved. Folsom is still waiting for a several more to be heard and the Tax Court is running three (3) behind.

FIRE CHIEF'S REPORT: Councilman Smith read the report for Chief Donnelly. Chief Donnelly reported that there were six incidents that occurred in the month of May. The annual hose test was conducted, extrication tools were serviced and driver training continued. A new hose was purchased along with new water distribution appliances.

ENGINEER'S REPORT: Bids were received on June 11, 2014 at 10:00AM at Borough Hall for the Public Works Garage-Pole Building Contract 17B. A total of four (4) contractors picked up bid documents but only three submitted bids for the project. Pioneer Pole Buildings, Inc. was the low bidder at \$34,750.00.

MAYOR'S REPORT: Mayor Ballistreri stated that he wanted the residents that were present to be aware that the Ordinance#04-2014 was taken off the table until more research is done.

COUNCIL MEMBER'S REPORTS:

Councilman Kyle Smith: Congratulated all recent Folsom grads. Kyle also congratulated Clerk Patti Gatto's son Joe Gatto on being selected in the second round of the MLB draft to the Los Angeles Angels. Kyle thanked everyone for their cards and well wishes on the birth of his son.

Councilman Butch Gazzara: Congratulations to the Gatto Family and to all the recent graduates and to Councilman Smith on the birth of his son.

Councilman Lou DeStefano: Congratulations to Kyle and Jess, Patti, Joe and Joe Gatto. Councilman DeStefano updated Mayor and Council on the Parks and Rec meeting. Lou stated they are waiting for the JIF report and that Little League is almost done at this point and there are no issues with our fields. The Hammonton 18U has paid \$100.00 for use of the fields. Lights on the fields have been placed on a timer. There was a discussion with Mike Earling of the FAA for possible dugouts. Lou reported that the wall of fame sign is in poor condition and will be removed and the Falcon's Nest Playground sign is also in poor condition but is being replaced. Lou also asked Dawn Stollenwerk for the Parks and Rec budget is for 2014 and the balance. The July meeting for Parks and Rec will consist of South River Drive and Penny Pot Park inspections. The FAA had to remove the pitcher's mound on 13th St. because of softball so Hammonton donated a portable pitcher's mound to use on that field.

Councilman Gary Kemmerer: Congratulations to the Gatto family, to Kyle and Jessica on the birth of their son and also to all the class of 2014.

Councilwoman Veneziani: Congratulations to Kyle & Jessica on their new baby, to Patti and Joe on their son being drafted by the Angels, and also to the Folsom Class of 2014

Councilman Gummoe: No report

PAYMENT OF BILLS IN THE AMOUNT OF \$209,174.45

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

There was a roll call vote with ayes all.

Mayor Tom Ballistreri 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, July 9, 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

Mayor Ballistreri wished everyone a Happy Fourth of July.

With no other discussion the meeting was adjourned at 8:02 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk