

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
June 12, 2013**

MEETING CALLED TO ORDER: 7:13 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, Schenker, Gummoe and Smith

Absent: Councilman Kemmerer

Also present: Mayor Tom Ballistreri, Solicitor Mike Fitzgerald and Engineer Vince Polistina

APPROVAL OF WORKSHOP MINUTES FROM May 8, 2013

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

APPROVAL OF THE MINUTES FROM May 8, 2013

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

MEETING OPEN TO PUBLIC: **Mark O'Toole** (3315 Pinewood Dr) is requesting to have the street next to his home vacated. Because there is a lien on the property next door he requested to receive the entire street. Solicitor Fitzgerald stated the paper street is required to be split between both properties.

ORDINANCES:

(Second Reading/Final Adoption)

**BOROUGH OF FOLSOM
ORDINANCE 03-2013**

**AN ORDINANCE OF THE BOROUGH OF FOLSOM ESTABLISHING HOUSING
STANDARDS PURSUANT TO N.J.A.C. 2A:42-76**

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

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
ORDINANCE 04-2013**

**AN ORDINANCE OF THE BOROUGH OF FOLSOM
AMENDING CHAPTER 155 RECYCLING**

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

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
ORDINANCE 05-2013**

**AN ORDINANCE OF THE BOROUGH OF FOLSOM
AMENDING CHAPTER 134 NOISE**

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

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 2013-51
BOROUGH OF FOLSOM**

**A RESOLUTION APPROVING THE INSERTION OF A SPECIAL ITEM OF
REVENUE INTO THE 2013 MUNICIPAL BUDGET TO ALLOW FOR THE RECEIPT
OF \$144,000.00 FOR THE NJDOT Fiscal Year 2013 Local Municipal Aid Program**

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 County or 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, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Folsom will receive \$144,000.00 from the State of New Jersey Department of Transportation and wishes to amend its 2013 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED, that the Council of the Borough of Folsom 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 2013 in the sum of \$144,000.00, that is available as a revenue for the Municipal Aid Program-Resurfacing Program

BE IT FURTHER RESOLVED, that the like sum of \$144,000.00 is hereby appropriated under the caption NJDOT Local Municipal Program 2013; and

BE IT FURTHER RESOLVED, that the above is the result of funds from NJDOT Local Municipal Aid Program FY 2013 in the amount of \$144,000.00

**RESOLUTION 2013-52
BOROUGH OF FOLSOM**

Resolution Authorizing an Award of Contract for Electric Supply Services

WHEREAS, the County of Camden on behalf of the South Jersey Power Cooperative (“SJPC”) publicly advertised bids for the purpose of procuring electric energy services; and

WHEREAS, the County received and opened publicly advertised bids on April 18, 2013 for retail electricity services for the South Jersey Power Cooperative; and

WHEREAS, Hess Corporation is the lowest responsible bidder for retail electricity supply services for Atlantic City Account and submitted the following rates for a 24 month period beginning June 2013 and ending June 2015:

ACE Primary Accounts	\$.0827 per kWh
ACE Secondary (facility) Accounts	\$.0849 per kWh
ACE Secondary (street light) Accounts	\$.0529 per kWh

WHEREAS, the Borough is a member of the South Jersey Power Cooperative and wishes to receive its energy services from Hess Corporation for its electricity accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom, County of Atlantic that the Borough participates in the South Jersey Energy Cooperative contract.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the SJPC Consultant, Dome-Tech, Inc. 510 Thornall Street, Suite 375, Edison NJ 08837.

**RESOLUTION 2013-53
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2013 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 2013 in the sum of \$5,703.79, which is now available from the 2013 Clean Communities Program.

BE IT FURTHER RESOLVED, that the like sum of \$5,703.79 is hereby appropriated under the caption 2013 Clean Communities; and

BE IT FURTHER RESOLVED that the above is the result of funds from 2013 Clean Communities Program in the amount of \$5,703.79.

**RESOLUTION 2013-54
BOROUGH OF FOLSOM**

A RESOLUTION TO SUPPORT THE REPLACEMENT OF THE 8TH STREET BRIDGE

WHEREAS, the Borough of Folsom has been supporting the replacement of the 8th Street Bridge in the Borough of Folsom since 2004 via Resolution # 2004-93

WHEREAS, unfortunately Atlantic County did not proceed with the replacement of the bridge prior to it being deemed structurally deficient and impassable, affecting numerous residents of Folsom and creating concerns relating to emergency services for neighborhoods in the vicinity of the 8th Street Bridge

WHEREAS, Atlantic County has recently indicated that they will be proceeding with the design and installation of a temporary bridge which will allow 8th Street to be passable;

WHEREAS, the Borough of Folsom remains willing to assist the County with the work required to hasten the design and permitting for the replacement of the 8th Street Bridge as it has previously offered on several occasions,

WHEREAS, the County has indicated that the tentative schedule would provide for advertisement for the temporary bridge by February 4, 2014;

WHEREAS, the Borough of Folsom requested that Atlantic County do everything possible to meet this tentative schedule in order to reopen 8th Street to vehicular traffic as soon as is practicable;

NOW THEREFORE, BE IT RESOLVED, with all the information presented that the Municipal Council for the Borough of Folsom, County of Atlantic and State of New Jersey, do hereby strongly support the passage of the replacement of the 8th Street Bridge for the reasons set forth herein. A copy of this resolution shall be forwarded to Atlantic County Executive Dennis Levinson and the Atlantic County Board of Chosen Freeholders

**RESOLUTION 2013-56
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. t/a Bell Liquor Store, Inc. 1002 Black Horse Pike Folsom, NJ 08037	\$360.00
0110-33-001-001	Folsom Inn, Inc. 1012 Black Horse Pike Folsom, NJ 08037	\$420.00
0110-33-004-004	Namah Shivay, Inc. 3125 Vine Road Vineland, NJ 08360	\$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

WHEREAS, the Borough of Folsom Council have no objection to the 2013-2014 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, 2013

**RESOLUTION 2013-56
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED FOR
THE PURCHASE OF A SUPER DUTY DIESEL TRUCK 37,000 GVWR AUTHORIZING
THE REBIDDING OF A CONTRACT FOR SUCH PURCHASE**

WHEREAS, the Borough of Folsom sought bids for a contract to purchase a super duty diesel truck 37,000 GVWR; and

WHEREAS, sealed bids were received by the Borough of Folsom pursuant to N.J.S.A. 40A:11-1 et seq., the New Jersey Local Public Contracts Law; and

WHEREAS, on April 30, 2013, the following sealed bids were received, opened and publically read:

1. Route 23 Auto Mall, LLC: \$117,374.00;
2. Brian Hoskins Ford: \$96,200.00;
3. H.K. Truck Services, Inc.: 123,860.00;
4. H.A. DeHart: \$108,487.00; and
5. Robert H. Hoover & Sons, Inc.: \$102,307.00 without a performance bond and \$103,841.0 with a performance bond.

WHEREAS, all bids were received conditioned upon full review by the Borough Attorney and by the Supervisor of Public Works as to compliance with both statutory and specification requirements; and

WHEREAS, the Borough has determined that the bids were either materially deficient with respect to required documentation pursuant to N.J.S.A. 40A:11-1 et seq., failed to comply with the required specifications set forth in the bid package or substantially exceed the cost estimate and amount budgeted for the purchase; and

WHEREAS, it is in the best interest of the Borough of Folsom that it reject all bids received, rescind the award, revise the specifications as necessary and appropriate, and rebid the contract in accordance with such revised specifications.

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

1. All bids received for the purchase of the super duty diesel truck 37,000 GVWR are rejected in accordance with N.J.S.A. 40A:11-13.2a, b and d.
2. The bid specifications for the purchase of the super duty diesel truck 37,000 GVWR shall be revised as necessary and appropriate by the Supervisor of Public Works.
3. The Borough Clerk is authorized to readvertise for bids for the super duty diesel

truck 37,000 GVWR as soon as reasonably practical.

4. The Mayor, the Borough Clerk, the Supervisor of Public Works and the Borough Attorney, together with all other officers, professionals and employees of the Township, are hereby authorized and directed to take such action as is reasonably necessary to effectuate the purposes of this Resolution.

A motion to approve Resolutions 2013-51 through 2013-56 was made by Councilman Esposito seconded by Councilman Gazzara.

There was a roll call vote with ayes all.

CLERK'S CORRESPONDENCE: Ms. Thompson reported that Borough Hall offices will be closed on July 4, 2013.

SOLICITOR'S REPORT: Mr. Fitzgerald updated Mayor and Council on the Macera issue which was in the Borough's favor.

FIRE CHIEF'S REPORT: Two (2) incidents in the month of April were reported and Six (6) incidents for the month of May. The Fire Chief reported that the Hoagie Sale in April was a success. During the month of May they attended a Mass Casualty drill in Egg Harbor Township.

ENGINEER'S REPORT: Mr. Polistina had nothing new to report. Mr. Polistina was questioned by Councilman Gazzara on the 8th Street bridge status. Vince reported that there will possibly be a start date of 2014 for the single lane temporary bridge. Mayor Ballistreri recommended that residents go to the Atlantic County Freeholders meeting and complain about not getting a permanent bridge. Councilman Gazzara urged residents to be extremely cautious exiting Penny Pot.

MAYOR'S REPORT: No report

COUNCIL MEMBER'S REPORTS:

Councilman Ron Esposito: Councilman Esposito asked residents to report any issues with the parks to Borough Hall. Mayor Ballistreri discussed the lack of covers on the dugouts on the senior field. Mayor Ballistreri asked Council for approval to receive three (3) quotes to cover the dugouts. All in favor. Superintendent LaPollo will obtain the quotes and also raise the level inside the dugout to keep the water from ponding.

Councilman Greg Schenker: Councilman Schenker congratulated the 8th graders and High School Seniors. Councilman reminded residents to use caution on the roads now that school is out. Councilman also informed residents he will be running in the November Election as an independent.

Councilman Byron Gummoe: No report

Councilman Gary Kemmerer: Absent

Councilman Butch Gazzara: Councilman Gazzara congratulated all of the 2013 Graduates. Councilman wished everyone a happy and safe 4th of July. Councilman also reported that the heart walk in Ocean City was very successful.

Councilman Kyle Smith: Councilman thanked everyone for coming out in the Primary. Congratulation to the class of 2013. Councilman informed that Garguilo, Pickul, Ruggerio, Hoffman, Chandler are all retiring. Councilman asked residents to use caution with open fires. Thanked everyone for the well wishes on his marriage. A discussion ensued over whether Chimenea's should be required to have permits.

Mayor Ballistreri congratulated Councilman Smith on his wedding.

MEETING CLOSED

PAYMENT OF BILLS IN THE AMOUNT OF \$203,994.56

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

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, July 10, 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 7:46 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk