

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
March 12, 2014**

MEETING CALLED TO ORDER: 7:40PM

SALUTE TO THE FLAG LED BY Mayor 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 Smith, Gazzara, DeStefano, Kemmerer, Veneziani, and Gummo

Also present: Solicitor Keith Bonchi, Engineer Gary Auer, CFO Dawn Stollenwerk and Superintendent of Public Works John LaPollo

APPROVAL OF THE MINUTES FROM February 12, 2014

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

APPROVAL OF THE MINUTES FROM February 12, 2014

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

MEETING OPEN TO PUBLIC:

Sgt. Frank Babinchock from the State Police introduced himself as the new Folsom Station Commander and gave a brief summary of incidents that occurred in Folsom for 2013.

Marie Anastasia (1315 13th St) thanked the Public Works Department for their work during the snow storms. Marie also reported that the Public Works Department helped the mail lady during the last snow storm. Marie asked Mayor and Council if the Borough can place some road reflectors on 13th Street and 4th Road since light are expensive. Marie also reported that some residents cannot hear some Council members when they are talking at Council meetings.

MEETING CLOSED TO PUBLIC

CLERK'S CORRESPONDENCE: None

ORDINANCES: (Second Reading/Final Adoption)

**BOROUGH OF FOLSOM
ORDINANCE 02-2014**

CALENDAR YEAR 2014

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

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Folsom in the County of Atlantic finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$27,566.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Folsom, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Folsom shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$1,002,155.00, and that the CY 2014 municipal budget for the Borough of Folsom be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

There was a roll call vote with ayes all.

Resolutions:

**RESOLUTION 2014-27
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE FORECLOSURE OF AN ELIGIBLE TAX
SALE CERTIFICATES**

WHEREAS, N.J.S.A.54:5-109.29 et.seq. as amended, permits a municipal government to foreclosure In-Rem certain Tax Sale Certificates held by the municipality; and

WHEREAS, the Borough of Folsom hold Tax Sale Certificates which are eligible for In- Rem tax foreclosure; and

WHEREAS, it is to the benefit of the Borough of Folsom to foreclose such Tax Sale Certificates; and

WHEREAS, funds have been provided for the expense of said foreclosures;

NOW THEREFORE BE IT RESOLVED, that the adoption of and the execution of this Resolution shall authorize Council, Keith A. Bonchi, Esq., to foreclose Tax Sale Certificates held by the Borough of Folsom, said Certificates are particularly described according to the In-Rem Tax Foreclosure List attached hereto.

**RESOLUTION 2014-29
BOROUGH OF FOLSOM**

A RESOLUTION APPROVING THE FILING OF THE 2013 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 2013) 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.

**RESOLUTION 2014-30
BOROUGH OF FOLSOM**

**A RESOLUTION APPOINTING AN UCC TECHNICAL
ASSISTANT/PLANNING AND ZONING SECRETARY**

WHEREAS; there is a vacancy in the construction office, and

WHEREAS; the position being filled for the Part-Time UCC Technical Assistant/Planning and Zoning Secretary will be working with the construction official and the planning/zoning board, and

NOW, THEREFORE, BE IT RESOLVED, that Susan Carroll has shown an interest in the position of Administrative Assistant and has been considered, effective September 23, 2013 , with the said amount of compensation to be set forth by the Borough Salary Ordinance.

**RESOLUTION 2014-31
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>
Corelogic	2714/467	\$691.48

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 2014-32
BOROUGH OF FOLSOM**

**A RESOLUTION SETTING THE SALARIES OF THE EMPLOYEES AND OFFICIALS
OF THE BOROUGH OF FOLSOM**

WHEREAS, the Council of the Borough of Folsom has adopted a salary ordinance setting salary ranges for the various positions in the Borough; and

WHEREAS, each employee and official of the Borough will receive compensation within that range; and

WHEREAS, it is necessary for the Borough to formally approve the salary rate for each employee and official of the Borough.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that the following employee and official salaries are hereby approved.

<u>Employee</u>	<u>Salaried Positions</u>	
All Members of Council	Council Member	\$2,500
Ballistreri, Thomas	Mayor	\$3,300
Cappuccio, Bertha	Tax Collector	\$15,160
DeYoung, Catherine	Court Administrator	\$43,214
Gatto, Patricia	Borough Clerk	\$40,000
Ingemi, Joseph	Tax Assessor	\$13,735
LaPollo, John	Zoning Officer	\$4,245
LaPollo, John	Emergency Management Coordinator	\$1,000
Newton, Patrick	Construction Official	\$3,736
Newton, Patrick	Building Sub-Code Official	\$3,902
Newton, Patrick	Plumbing Sub-Code Official	\$3,902
Newton, Patrick	Fire Sub-Code Official	\$3,902
Raso, Frank	Judge	\$9,555
Stollenwerk, Dawn	Chief Financial Officer	\$14,000
Volpe, Jerry	Electrical Inspector	\$3,902
 <u>Hourly Rates</u>		
Blisard, Patrick	Public Works Laborer	\$18.05
LaPollo, John	Supervisor Public Works	\$24.12
Sutts, Gerald	Public Works Laborer	\$16.39
Carroll, Susan	Clerical Assistant	\$12.75

BOROUGH OF FOLSOM
Resolution 2014-33

INTRODUCTION OF THE 2014 MUNICIPAL BUDGET

The Municipal Budget Notice

Read Section 1 – Record Vote & continue to the end

RESOLUTION 2014-34
BOROUGH OF FOLSOM

**RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS ASSETS AND GRANTING
AUTHORITY TO HOLD AN ONLINE AUCTION**

WHEREAS, the Borough of Folsom has surplus property that is no longer needed for public use. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties; and

WHEREAS, the auction of surplus property will be conducted at www.govdeals.com; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, the sale will begin on March 25, 2014 at 7:00AM and continue through April 4, 2014 until 3:00PM.

WHEREAS, The sale of the sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967-T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Municipal Clerk at the Borough Municipal Building; and

WHEREAS, The list of surplus property to be sold is as follows:

1. 2000 Ford F650 DumpTruck w/ 9’ Western Heavy Duty Plow and Swenson tailgate Spreader
Vin#3FDNF6524YMA82675
2. 2002 Ford F450 Crew Cab Dump Truck 8.5’ Western Uni-Mount Plow and Swenson tail gate Salt Sand
Spreader w/ 18”X18”X36” under body tool box. Vin#1FDXw47F72EB01438
3. Professional 18 horse power-2 wheel walk behind 985 series Gravely Mower w/ 40: cutting deck and Sluke
seat w/44” power brush.
4. Miscellaneous Lawn Equipment

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that the auction of surplus property at an online auction is authorized and will be advertised in the Hammonton Gazette.

NOW, THEREFORE, BE IT FURTHER RESOLVED, The Borough reserves the right to accept or reject any bid submitted.

**BOROUGH OF FOLSOM
RESOLUTION # 2014-35**

**RESOLUTION CALLING UPON THE NEW JERSEY LEGISLATURE TO PROMOTE
EQUALITY AND TRUE TRANSPARENCY IN GOVERNMENT BY AMENDING
PROVISIONS OF THE OPEN PUBLICS RECORD ACT, N.J.S.A. 47:1A,
SO AS TO REMOVE THE EXEMPTIONS THAT APPLY TO
MEMBERS OF THE NEW JERSEY LEGILSATURE**

WHEREAS, in 2001 the New Jersey Legislature enacted Public Law 2001, c.404 known as the Open Public Records Act (OPRA) which gives the citizenry of the State of New Jersey access to governmental records except for specifically delineated exemptions; and

WHEREAS, the intent of this legislation was to create greater transparency by governmental officials and employees in all areas of government within the State of New Jersey whether state, county or municipal; and

WHEREAS, compliance with the requirements under the Open Public Records Act (OPRA) can be at times burdensome for governmental entities, particularly at the local level; and

WHEREAS, the added burdens and expense thrust upon governmental entities, in order to comply with OPRA are outweighed by the overarching goals of openness and transparency in government; and

WHEREAS, this same level of openness and transparency does not apply to both branches of the New Jersey Legislature (Assembly and Senate) as they have seen fit to exempt themselves from the provisions of OPRA which apply to all other governmental entities; and

WHEREAS, a critical analysis of the purpose and intent of OPRA does not permit any reasonable explanation as to why the Legislative branch of the government should be excluded from the reach of the Act since their governmental functions are no more important than the functions performed by the State's Executive branch and by local government entities; and

WHEREAS, the exceptions which the Legislature created for itself weaken transparency and create inequality, for which there is no rational basis; and

WHEREAS, the original purpose and intent of OPRA would be strengthened and equality among governmental entities would be enhanced if the New Jersey Legislature was subjected to the same burdens and responsibilities under OPRA which bind all other governmental entities.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Folsom joins the call of the New Jersey League of Municipalities and other representative agencies of the local government and calls upon the New Jersey Legislature to amend the provisions of OPRA to remove the exemptions currently granted to members of the Legislature

and to require all members of the New Jersey Legislature to be bound by the same standards of transparency that apply to all other governmental entities in the State of New Jersey.

**Borough of Folsom
RESOLUTION #2014-37**

MUNICIPAL ALLIANCE GRANT APPLICATION Form 1B

Governor's Council on Alcoholism and Drug Abuse

Fiscal Grant Cycle July 2014 – June 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities through New Jersey.

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Folsom Governing Body does hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Borough of Folsom Municipal Alliance grant for fiscal year 2014 in the amount of:

DEDR	\$8164.00
Cash Match	\$2041.00
In Kind Match	\$6123.00

Total Alliance Budget: \$16,328.00

2. The Borough of Folsom acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

**RESOLUTION 2014-38
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE FORECLOSURE OF TAX SALE
CERTIFICATES**

WHEREAS, N.J.S.A. 54:5-109.29 et. seq. as amended, permits a municipal government to foreclose IN-Rem certain Tax Sale Certificates held by the municipality; and

WHEREAS, the Borough of Folsom hold Tax Sale Certificates which are eligible for In-Rem tax foreclosure; and

WHEREAS, it is to the benefit of the Borough of Folsom to foreclose such Tax Sale Certificates; and

WHEREAS, funds have been provided for the expense of said foreclosures;

NOW THEREFORE BE IT RESOLVED, that the adoption of and execution of this Resolution shall authorize Counsel, Keith A. Bonchi, Esq. to foreclose Tax Sale Certificates held by the Borough of Folsom, said Certificates are particularly described according to the In-Rem Tax Foreclosure List attached hereto.

A motion to approve Resolutions 2014-27, 2014-29 through 2014-35 and 2014-37 and 2014-38 was made by Councilman Kemmerer and seconded Councilwoman Veneziani

There was a roll call vote with ayes all.

Resolution:

**RESOLUTION 2014-36
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING THE GRANTING AUTHORITY TO HOLD AN ONLINE AUCTION
FOR A 1946 FIRE TRUCK**

WHEREAS, the Borough of Folsom has surplus property that is no longer needed for public use. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties; and

WHEREAS, the auction of surplus property will be conducted at www.govdeals.com; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, the sale will begin on March 25, 2014 at 7:00AM and continue through April 4, 2014 until 3:00PM.

WHEREAS, The sale of the sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967-T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Municipal Clerk at the Borough Municipal Building; and

WHEREAS, The list of surplus property to be sold is as follows:

1. 1946 Chevrolet Pumper Fire Truck Vehicle Identification Number# 140F057424

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that the auction of surplus property at an online auction is authorized and will be advertised in the Hammonton Gazette.

NOW, THEREFORE, BE IT FURTHER RESOLVED, The Borough reserves the right to accept or reject any bid submitted.

A motion to approve Resolution 2014-36 was made by Councilman Gummoe and seconded by Councilman Gazzara.

There was a roll call vote: Smith (N) Gazzara
(Y) DeStefano (Abstain) Kemmerer (Y)
Veneziani(Y) and Gummoe (Y)

SOLICITOR'S REPORT: Mr. Bonchi stated that the Borough approved two resolutions approving his law firm to begin foreclosure proceedings. Mr. Bonchi also reported that he is working on the revisions required by Municipal Excess Liability Joint Insurance Fund to the Personnel Policies and Procedures Manual and the Employee Handbook and should be available for the April meeting.

FIRE CHIEF'S REPORT: Councilman Smith read report for Chief Donnelly. There were only two (2) calls reported for the month of February. Chief Donnelly reported that they held a class for CPR recertification.

ENGINEER'S REPORT: Gary Auer reported that Arawak Paving commenced the milling work for 14th St. today and will be completing the paving within the next week.

Gary also stated that they are preparing the package to seek quotes for the new public works building.

The Borough has allocated the funding provided under the 2014 Community Development Block Grant Program to housing rehabilitation for the last several years. Very little money has been expended. The ACIA has indicated that the Borough must select a construction project to be completed with the funding. Mr. Polistina informed the ACIA that the Borough would submit an application this week if the Borough desires to seek funding under this program.

Gray reported that the majority of the IBEW work has been completed with only a few punch list items remaining. Demolition work is underway for the construction of the addition to the Laborers Hall associated site work.

Councilman Smith asked Gary Auer a question regarding the status of 8th Street Bridge and a discussion ensued.

MAYOR'S REPORT: Go Phillies! Come support local the local kids and baseball.

COUNCIL MEMBER'S REPORTS:

Councilman Kyle Smith: Reminded residents to use caution around all the construction in town.

Councilman Butch Gazzara: Report for response times for the EMS has been forward to Borough Hall for anyone wishing to view them. Councilman Gazzara wished everyone a Happy St. Patrick's Day.

Councilman Lou DeStefano: No Report

Councilman Gary Kemmerer: No Report

Councilwoman Veneziani: asked residents to go to the Borough website to report any streetlights that are out. There is now a special section to report them. Councilwoman also asked for volunteers for the Historical Society.

Councilman Gummoe: reported that the Borough has received an award for \$750.00 as a result of our outstanding performance in the 2013 Atlantic County Municipal Joint Insurance Fund. Councilman Gummoe thanked the residents for recycling. Byron reminded residents not to leave trash cans out and do not leave e waste at Borough Garage.

Public Comment on the Council Members Reports: No comment

PAYMENT OF BILLS IN THE AMOUNT OF \$299,620.44

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

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 and to please visit the Borough website with updated information.

The next regular meeting of Mayor and Council will be held on Wednesday, April 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

With no other discussion the meeting was adjourned at 8:20 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto, RMC/CMR