

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
May 11, 2016**

MEETING CALLED TO ORDER: 7:16 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: Smith, Jantz, Pagano, Arena, Veneziani and Gummoe

Also present: Mayor Lou DeStefano, Attorney Keith Bonchi and Engineer Gary Auer

APPROVAL OF THE WORKSHOP April 13, 2016

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

Council President Pagano requested a change to the Workshop minutes. Council President Pagano stated that the word “remind” should be corrected to read “inform”.

No objections to the change.

There was a roll call vote with ayes all with the exception of Councilman Smith’s and Councilman Jantz’s abstention.

APPROVAL OF THE MINUTES FROM April 13, 2016

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

There was a roll call vote (Mayor included) with ayes all with the exception of Councilman Smith, Jantz and Councilman Gummoe’s abstention.

Inaudible

APPROVAL OF THE EXECUTIVE MINUTES FROM April 13, 2016

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

There was a roll call vote (Mayor included) with ayes all with the exception of Councilman Smith, Jantz and Councilman Gummoe’s abstention.

MEETING OPEN TO PUBLIC:

Councilman Arena is stepping down from dais to speak as a business owner and resident-(**1002 Black Horse Pike**) **Trish Arena (1002 Black Horse Pike)** speaking on behalf of Mrs. Arena, President of Bell Liquors, Inc. Mr. Arena was speaking here this evening because he wanted the Mayor and Council to know that he has filed a written objection against the transfer of Collings Lakes Food Market, Inc. to Rt. 322 Liquors. Mr. Arena stated that he felt there has been an injustice done to him by the Borough of Folsom and New Jersey ABC and the Planning/Zoning Board. Mr. Arena made reference to the handout he gave to Council before the meeting started. Mr. Arena stated that after researching all the OPRA material the reasons the Collings Lakes Food Market is in existence is false and that it is a bogus license Mr. Arena stated that his business has suffered economic distress over this. Mr. Arena stated he felt that this could have been stopped. Mr. Arena stated that the Planning Board came back to Council in 2014 and stated the Engineer and Attorney said conditions were to be put on this license. Those conditions are then sent to the ABC. If the ABC agrees with those conditions then everything is a go. Mr. Arena stated that he has looked at our resolutions and minutes to see if there was any discussion about these conditions and there is none except Council was told it was the end unit (D) and that is what you voted on. A long discussion ensued Mr. Arena stated he is trying to get this license expunged completely.

Keith Bonchi stated that this bar has one table with three bar stools with no real restaurant and seems to be a sham. Keith Bonchi asked Mayor and Council for permission to research this issue since this is the first time a transfer or renewal has come up with him as Solicitor and in anticipating this coming up he sent Solicitor Fran Ballak on his way home to go in and order a beer to see what it is like.

Council President Pagano asked Charlie Arena what you want from the Borough. Mr. Arena stated I'm putting the ball in your court right now as far as that expansion is concerned. Is it fair or not fair is it legal or not legal? Mr. Arena stated he will go to the ABC about that license because it should have never existed in the first place.

Donna Sutts (15 E Park Avenue) stated she was not able to attend the last planning/zoning board meeting and she was reassured that it would be just three bar stools. Donna stated she was told that they need a bigger package goods store. She was promised it was not going to get any bigger. Donna stated she sees the door opened during the day and sees banners on the fence. Donna asked the Mayor and Council to take a closer look at this issue.

Christine Esposito (9 East Park Avenue) stated she lives behind the liquor store and voice her disapproval of the expansion of Colling Lakes Food Market. Christine also stated she never received a notice of the Planning Board Meeting. She stated that she feels that she was lied to at last Planning Board meeting over this issue.

Mayor DeStefano asked Council if we agreed to have our Solicitor investigate this issue. All were in favor.

Council President Pagano suggested forming a Committee to handle this issue. Keith Bonchi stated not now let him research first.

CLERK’S CORRESPONDENCE:

Borough Hall Offices will be closed on Monday, May 30, 2016 in observance of Memorial Day.

E-Waste Day scheduled for Saturday, May 14, 2016 from 8:00AM until 1:00PM

Borough Hall summer hours begin May 31, 2016 from 8:00AM until 3:30PM thru September 2, 2016.

Councilman Arena pointed out that we missed the approval of executive session minutes from March 9, 2016. A motion to approve the Executive Session Minutes was made by Councilwoman Veneziani and seconded by Councilman Arena. The was a roll call vote with ayes all with the exception of Councilman Gummoe’s abstention.

ORDINANCES:

BOROUGH OF FOLSOM

ORDINANCE NO. 05-2016

AN ORDINANCE AMENDING ORDINANCE NO. 04-2016 WHICH ESTABLISHED A NEW CHAPTER FOR THE REGULATION OF ALARM SYSTEMS

NOW, THEREFORE, BE IT ORDAINED by the council of the Borough of Folsom, County of Atlantic, State of New Jersey as follows:

WHEREAS, pursuant to Ordinance 04-2016 Council for the Borough of Folsom passed an Ordinance establishing a New Chapter for the Regulation of Alarm Systems; and

WHEREAS, it has been determined necessary and appropriate to make certain amendments to Ordinance 04-2016; and

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the council of the Borough of Folsom that the portion of Ordinance 04-2016 which was entitled “VIOLATIONS AND PENALTIES” is hereby amended so as to read as follows:

VIOLATIONS AND PENALTIES. Anyone who is convicted of violating this article in the Borough of Folsom Municipal Court is subject to the following penalties:

- A. First offense and second offense: a warning.
- B. Third offense: a fine of \$50.00 payable through the Violations Bureau in the Borough of Folsom.
- C. Fourth offense: A Fine of \$100.00 payable through the Violations Bureau in the Borough of Folsom.
- D. Fifth offense: A fine of \$200.00 payable through the Violations Bureau in the Borough of Folsom.

- E. Sixth and Subsequent offenses: A fine of \$300.00 payable through the Violations Bureau in the Borough of Folsom. A Court appearance shall not be required unless noted by an officer in the performance of his duties.

AND BE IT FURTHER ORDAINED, that all Ordinances inconsistent herewith are hereby repealed to the extent they are inconsistent to the ordinance herewith and the balance shall remain in full force and effect.

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 11, 2016. 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 8th, 2016 at 7:00 P.M.

A motion to approve was made by Council President Pagano and seconded by Councilman Arena

There was a roll call vote with ayes all.

RESOLUTIONS:

**BOROUGH OF FOLSOM
2016-57
A RESOLUTION TO APPOINT COMMISSION APPOINTMENT FOR 2016**

COMMISSION APPOINTMENT

PLANNING/ZONING BOARD

CLASS III	Bennett Joel Pagano	12/31/16
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NOW, THEREFORE BE IT RESOLVED, that the foregoing appointment was adopted at the regular meeting of Mayor and Council on May 11, 2016 in the Borough of Folsom, County of Atlantic, State of New Jersey.

A motion to approve Resolution #2016-57 was made by Councilman Gummoe and seconded by Councilwoman Veneziani

There was a roll call vote with ayes all with the exception of Council President Pagano's abstention.

**RESOLUTION 2016-58
BOROUGH OF FOLSOM
A RESOLUTION AMENDING THE 2016 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 2016 in the sum of \$51,715.64, which is now available from the Atlantic County Community Development Block Grant Program.

BE IT FURTHER RESOLVED, that the like sum of \$51,715.64 is hereby appropriated under the caption: Atlantic County Community Development Block Grant Program.

A motion to approve Resolution #2016-58 was made by Councilman Arena and seconded by Councilwoman Veneziani.

There was a roll call vote with ayes all

**RESOLUTION 2016-59
BOROUGH OF FOLSOM**

A RESOLUTION APPROVING THE INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2016 MUNICIPAL BUDGET TO ALLOW FOR THE RECEIPT OF \$190,000.00 FOR THE NJDOT Fiscal Year 2016 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 \$190,000.00 from the State of New Jersey Department of Transportation and wishes to amend its 2016 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 2016 in the sum of \$190,000.00, that is available as revenue for the Municipal Aid Program-Resurfacing Program

BE IT FURTHER RESOLVED, that the like sum of \$190,000.00 is hereby appropriated under the caption NJDOT Local Municipal Program 2016; and

A motion to approve Resolution #2016-59 was made by Councilman Smith and seconded by Councilman Jantz.

There was a roll call vote with ayes all.

**RESOLUTION 2016-60
BOROUGH OF FOLSOM**

A RESOLUTION ACCEPTING THE ENGINEER'S PROPOSAL FOR DESIGN SERVICES FOR THE RESURFACING OF 14TH STREET

WHEREAS, a proposal for design services for the Resurfacing of 14th Street has been submitted by Polistina & Associates, LLC Engineers & Planners for approval of the council.

WHEREAS, the professional services are as follows:

- Total Tasks 1-6 Design Services \$11,500.00
- Total Tasks 7-8 Construction Services \$20,000.00
- Total Tasks (not to exceed) \$31,500.00

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the proposal for design services submitted by Polistina & Associates LLC is accepted and authorization is given for the Resurfacing of 14th Street.

A motion to approve Resolution #2016-60 was made by Councilman Arena and seconded by Council President Pagano

There was a roll call vote with ayes all

**BOROUGH OF FOLSOM
RESOLUTION 2016-61**

LIQUOR LICENSE RENEWAL

WHEREAS, Bell Liquor Store, Inc., 1002 Black Horse Pike, Folsom, NJ 08037 has applied for a renewal of their Retail Distribution License No. 0110-44-005-003 for 2016-2017

WHEREAS, Charles Arena has ownership in Bell Liquor Store, Inc.; and

WHEREAS, since Mr. Arena is a member of the governing body of the Borough of Folsom, which also acts as the ABC issuing authority, the subject license is a "conflict" license. Accordingly, said renewal license application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license; and

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

That the Mayor and Council has no objection to the renewal of Plenary Retail Consumption License No. 0110-44-005-003 and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license.

A motion to approve Resolution #2016-61 was made by Councilwoman Veneziani and seconded by Councilman Smith.

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

**RESOLUTION 2016-62
BOROUGH OF FOLSOM**

**A RESOLUTION ACCEPTING THE ENGINEER'S PROPOSAL FOR DESIGN SERVICES FOR THE
CDBG MISCELLANEOUS ADA IMPROVEMENTS**

WHEREAS, a proposal for design services for the CDBG Miscellaneous ADA Improvements has been submitted by Polistina & Associates, LLC Engineers & Planners for approval of the council.

WHEREAS, the professional services are as follows:

- Total Tasks 1-6 Design Services \$6,500.00
- Total Tasks 7-8 Construction Services \$2,700.00
- Total Tasks (not to exceed) \$9,200.00

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the proposal for design services submitted by Polistina & Associates LLC is accepted and authorization is given for the CDBG Miscellaneous ADA Improvements

A motion to approve Resolution #2016-62 was made by Councilwoman Veneziani and seconded by Councilman Arena

There was a roll call vote with ayes all

There was a show of hands vote to extend the Land Use Attorney RFP until May 31, 2016

**RESOLUTION 2016-64
BOROUGH OF FOLSOM**

A RESOLUTION AUTHORIZING POLISTINA & ASSOCIATES TO BEGIN THE BIDDING PROCESSES FOR THE CONSTRUCTION OF FOUR (4) ADA COMPLIANT HANDICAP PARKING STALLS AND AN EIGHT (8) FOOT WIDE ADA COMPLIANT ASPHALT WALKWAY AT PENNY POT PARK

WHEREAS has approved Polistina & Associates, LLC to begin the bidding process for the CDBG Miscellaneous ADA Improvement Project that consists of the construction of four (4) ADA Compliant Handicap Parking Stalls and the construction of an eight (8) foot wide ADA Compliant Asphalt Walkway at Penny Pot Park.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, has approved construction of four(4) ADA Compliant Handicap Parking Stalls and an eight (8) foot wide ADA Compliant Asphalt Walkway at Penny Pot Park.

A motion to approve Resolution #2016-64 was made by Councilman Arena and seconded by Councilman Jantz

There was a roll call vote with ayes all

SOLICITOR’S REPORT: no report

FIRE CHIEF REPORT: Councilman Smith read the fire report:

The following incidents occurred in your community during the month of April 2016

April 7 th	Smoke Invest.	Fenimore Dr	26	Members Responding
April 13 th	Alarm System	Rt. 54	22	Members Responding
April 14 th	Assist Police	Park Ave.	19	Members Responding
April 16 th	Alarm System	Black Horse Pike	22	Members Responding
April 17 th	Brush Fire	E. Collings Dr.	20	Members Responding
April 26 th	Vehicle Crash	Rt 54 and BHP	16	Members Responding
April 26 th	Alarm System	Rt. 54	19	Members Responding

During the month of April the Department had 2 water training drill one with the dive team and the other conducting basic water rescue procedures.

Our annual scholarship hoagie sale was held and once again was very successful, to those who came by and got some hoagies, Thank You!!!

Again Smoke detectors are available free of charge anyone needing them contact the fire Department or Town Hall and someone will be sure to contact you.

Finally remember every Tuesday night starting at 7pm members are in the station and you can visit our website at cfd23.org or follow us on Facebook

Councilman Gummoe asked Councilman Smith if the Borough can get a detail of the alarm calls.

ENGINEER'S REPORT:

2014 Community Development Block Grant Funding - ADA Access Project

The Atlantic County Improvement Authority (ACIA) has requested some additional documentation from our office to complete their review. The final documents will be forwarded by the end of the week. Once approved the Borough can expect the issuance of the reimbursement funds.

FY15 State Aid Project - 8th Street

Our office is continuing to hold ongoing discussions with the contractor, Arawak Paving, on how they plan to resolve the transition from the bridge to the roadway at the beginning of the project. At this time they are continuing to be non-responsive. Final payment will not be recommended until the work is completed as per the design plans.

FY16 State Aid Project - 14th Street

As noted last month, the Borough received formal acknowledgment of the funding for the Resurfacing of 14th Street in the amount of \$190,000.00. The resolution authorizing our office to begin with the design services for the project is on tonight's agenda. We anticipate having the project completed during the fall 2016.

2016 Community Development Block Grant Funding

As authorized by the Mayor and Council we have submitted the application for the funding from the Atlantic County Improvement Authority. The Borough should receive a response by the end of the calendar year.

Miscellaneous ADA Improvements

Our office has prepared a proposal to complete the design and construction management services for the construction of several ADA compliant projects to utilize the remaining funds from previous years Community Development Block Grants. As noted in the correspondence by the ACIA, the funds are in danger of being deobligated if not spent by June 30, 2016. The resolution authorizing our office to begin with the design services for the project is on tonight's agenda.

There are three potential projects that have been discussed:

- Construction of a compliant ADA walking pathway and parking around Penny Pot Park
- Installation of ADA automated door operators at Borough Hall.
- Construction of senior exercise equipment and ADA compliant parking stalls at the Falcon's Crest Field.

NJDOT Route 54 / 322

We contacted the NJDOT Resident Engineer for the Route 54 / 322 projects in regards to the completion of the continuing roadway improvements. The final paving work along Route 322 has been delayed due to the rain the past week but is scheduled to begin within the next week. The work will be completed overnight from 9pm to 5am and take approximately 2 - 3 days. All work along Route 322 is expected to be completed by Memorial Day.

MAYOR'S REPORT: Mayor Destefano wished everyone a happy and safe Memorial Day weekend. Mayor DeStefano also wished Jonathan Maturano congratulations on being a semi- finalist in the Louis Bay 2nd Scholarship Essay Contest.

COUNCIL MEMBER'S REPORTS:

Councilwoman Veneziani: no report this evening. Councilwoman Veneziani wished everyone a happy and safe Memorial Day weekend.

Councilman Kyle Smith: asked everyone to use more caution when driving this time of year as the weather gets nicer. He encouraged residents to go see a softball and baseball game and visit the concession stand. Councilman Smith asked residents to remember all the people who have died while serving in the armed forces this Memorial Day weekend.

Councilman Ken Jantz: stated that he and Council President Pagano did an evaluation of the street lights this past month and found five (5) that were out and notified the electric company. Councilman Jantz reported to Engineer Gary Auer that the street light on the new overpass is out. Councilman Jantz reminded residents that you can go to the Borough website and report any street lights that are out.

Councilman President Ben Pagano: reported that the tax maps have been updated and we can now move on to the reval. Council President Pagano also reported that on May 27 there will be a ceremony at the Atlantic County Veterans' Cemetery. Ben alluded to what Councilman Smith stated about the armed forces and thanked God and blessed all their souls and their families

Councilman Charlie Arena: read the Public Works report

Reminded residents that the Public Works Department picked up litter several times on 14th Street. The crews do this once a month . Councilman Arena reminded residents that they maybe times the residents may have to do their own housecleaning until the crews can get there. Councilman Arena thanked Folsom School for donating the rubber mulch to the Falcon's Nest playground.

- (1) 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.
- (2) The Public works dept. attends the Atlantic County Joint Insurance Safety Kick off meeting as part of the towns requirements.
- (3) Cut the grass at Borough Hall and all Ball fields as part of our weekly routine (4) times a month.
- (4) picked up litter on 14th St. from the Hammonton line to Rt. 322 (on 4/15/2016)
- (5) Removed the Folsom vol. co. sign from Building Per council men Smith.
- (6) Installed ADA paths in Penny Pot Park. (Used millings) for the application approval.
- (7) Meet with Polistina and associates with Ron Esposito to discuss the path and the ACIA GRANT funding. For exercise equipment at the parks also. Location both path and equipment.
- (8) Picked litter up on 8th St. on (4-21 and 4-22-2016)
- (9) Started filling some of the larger cracks at borough hall had to stop due to weather
- (10) Repaired Fence on back stop and dug-outs on the T-Ball field for safety.
- (11) Repaired post caps on the Falcons nest tot lot and replaced (S) hooks on swing set at tot lot
- (12) Due to Vandalism the Public works dept. installed pad locks on electrical panels in the 13th St. Park inside the locked fenced area.
- (13) Due to Vandalism bolted bleachers down at girl's soft ball field to prevent from being moved into walking path and grass area.
- (14) Removed 4 large trees from Falcons nest Park dead pines and one black walnut.
- (15) On 3 separate occasions we dragged and lined girl's soft ball field for school and all other fields for safety.
- (16) For our monthly yard waste program we chipped 80 cubic yards of brush throughout the town.
- (17) For our spring leaf collection program this month we collected 100 cubic yards.

Mayor DeStefano reminded residents that leaf pick-up ends on May 20, 2016.

Councilman Byron Gummoe: wanted to clear the air over his leaving the Council meeting last month. Councilman Gummoe stated that when Council President was speaking Councilwoman Veneziani interrupted the Council President and I suddenly became aware that I had been given conflicting information. Rather than embarrass the individuals concerned by questioning and divulging this information I chose to leave the meeting to protect the concerned individuals. My leaving was in no way reflective of Council President Pagano or his report. Councilman Gummoe stated that the Ordinance Review Committee is still trying to get the Cat Ordinance completed and hopefully it will be done by next month.

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY:

NONE

PAYMENT OF BILLS IN THE AMOUNT OF: \$567,362.20 and \$44,863.51

A motion to approve payment was made by Councilman Arena 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, June 8, 2016 starting with an 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 2016-63
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 Ferris & Associates.
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 #2016-63 was made by Councilman Smith and seconded by Councilman Arena

There was a roll call vote with ayes all with the exception of Council President Pagano's abstention.

Entered into Executive Session at 9:09PM

Returned from Executive Session at 9:23PM

With no other discussion the meeting was adjourned at 9:24PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk