

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
May 9, 2012**

MEETING CALLED TO ORDER: 7:39PM

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 Eckhardt, Gazzara, Esposito, Kemmerer and Olive

Absent: Councilman Schenker

Also present: Attorney Mike Fitzgerald

APPROVAL OF THE WORKSHOP MINUTES APRIL 11, 2012

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

There was a roll call vote with ayes all.

APPROVAL OF THE MINUTES FROM APRIL 11, 2012

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

There was a roll call vote with ayes all

MEETING OPEN TO PUBLIC:

Byron Gummoe (125 Park Avenue) was concerned over the road conditions at the 15th Street and Mays Landing Road intersection. Mr. Gummoe also questioned the assessment of this property.

Christine Parker (1404 Backline Rd.) had several concerns regarding grants, money spent on Fire Co .ligation, resurfacing of roads, drainage maintenance and tax increases.

Mayor Ballistreri informed the residents that the IBEW has all approvals to build a \$4 ML 40,000 sf training school on the Black Horse Pike. Mayor Ballistreri stated that he and Council have been working with the IBEW for several years on building this project in Folsom.

MaryJane Kaiser (303 E. Collings Dr.) thanked Councilman Olive for attending the Homecoming of SSGT Jason Kertz. Ms. Kaiser had concerns over an incident at the Folsom

School with the Collings Lake Fire Company. Ms. Kaiser also stated her disappointment over the closing of the Folsom Volunteer Company.

METTING CLOSED TO PUBLIC

CLERK'S CORRESPONDENCE: Ms. Gatto stated that Senior Transportation from Pleasantville is requesting to hold the National Safety Council's and New Jersey Safety Council's "Alive at 25" Program here at Borough Hall on June 20, 2012. Ms. Gatto also noted that the MOMS Rescue/Animal Aid/USA is requesting to use the Borough Hall Parking Lot on July 11, 2012 at 8:00 AM as a departure point for the Animal Rescue Caravan that is traveling to Georgia. Ms. Gatto informed residents that Borough Hall will be closed on Monday, May 28, 2012 in observance of Memorial Day.

PROCLAMATION:

**BOROUGH OF FOLSOM
PROCLAMATION**

SSGT JASON M. KERTZ

WHEREAS, the Mayor and Borough Council wish to publicly express their gratitude to **SSGT JASON M. KERTZ** for his military service in the Marines to our country; and

WHEREAS, the Mayor and Borough Council wish to further express their admiration as **SSGT JASON M. KERTZ** placed his life at risk to serve our country and fight for our freedom; and

WHEREAS, if it were not for the bravery, heroism, and patriotism of the members of the Armed Forces such as **SSGT JASON M. KERTZ**, our nation would not enjoy the democracy and freedoms we so easily take for granted.

WHEREAS, heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict to the cause of freedom. Your patriotism, courage, and valor will always reflect itself in the pride of this community.

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and the Borough Council of the Borough of Folsom that they wish to honor and recognize the bravery, heroism, and undaunted patriotism of **SSGT JASON M. KERTZ**

BE IT FURTHER PROCLAIMED, that the Mayor and Borough Council of the Borough of Folsom express their warmest and most sincere thanks to **SSGT JASON M. KERTZ** as he is an asset to our community and continues to be the pride of Folsom.

Mayor, Council and residents applauded SSGT Jason M. Kertz, USMC

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 #2012-40

**BOROUGH OF FOLSOM
STATE OF NEW JERSEY
COUNTY OF ATLANTIC**

**RESOLUTION AUTHORIZING AND ADOPTING AMENDMENTS TO THE PERSONNEL
POLICIES AND PROCEDURES MANUAL AND THE EMPLOYEE HANDBOOK**

WHEREAS, it is the policy of The Borough of Folsom to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

WHEREAS, the Borough has previously approved and adopted a Personnel Policies and Procedures Manual and an Employee Handbook.

WHEREAS, the Municipal Excess Liability Joint Insurance Fund has made certain recommendations to the Borough and the Borough wishes to incorporate such provisions in its Personnel Policies and Procedures Manual and in its Employee Handbook.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Folsom, in the County of Atlantic and State of New Jersey that the following amendments to the Borough Personnel Policies and Procedures Manual are hereby adopted:

1. Americans with Disabilities Act Policy

The policy language is amended to read as follows:

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law against Discrimination, the Borough does not

discriminate based on disability. The Borough will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law against Discrimination. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough.

The Personnel Committee shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Personnel Committee. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Borough facilities. Any questions concerning proper assistance should be directed to Personnel Committee.

2. **E-Mail, Voice Mail, Computer and Internet Usage Policy.**

The policy language is amended to read as follows:

Borough respects the individual privacy of its employees. However, e-mail, voicemail, Internet, township issued cellular devices and computer network are for official business, and use for non-business purposes is prohibited. All e-mail, voice mail and Internet message are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.

a. **Management’s Right to Access Information**

E-mail, voicemail, and computer network systems have been installed by Borough to facilitate business communications. The contents of the systems are accessible at all times by the Borough. These systems should be treated like other shared filing systems.

b. **Care in Use of E-Mail, Voicemail, Internet and Computer Network Systems**

Employees must exercise a greater degree of caution in transmitting the

Borough's confidential information on the e-mail, voicemail, Internet and computer network systems than they take with other means of communicating information, because of the ease with which such information can be redistributed and the public access to such information through the Open Public Records Act. Please make sure that all addresses are appropriate recipients of the information to be distributed, via e-mail, voicemail, Internet, text message or other electronic forms of communication, especially when distributing information to a list of recipients.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and any include accidents, crimes and flights from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images or recording with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Personnel Committee.

c. Personal Use of E-mail, Voicemail, Internet and Computer Network Systems

Because the Borough provides e-mail, voicemail, Internet, cell phones, and computer network systems to assist employees in performing their jobs, employees should use them for official business. The Borough reserves the right

to access and disclose as necessary all message sent over its systems, without regard to content.

Since the contents of e-mail and voicemail may be access by the Borough without prior notice to employees, and since the Borough can monitor employees' use of its computer network systems, employees should not sue any of the systems to transmit any messages they would not want to disclose to a third party. Employees that maintain personal web pages and web sites, including but not limited to Facebook, YouTube, Myspace, Twitter, etc., shall not post information on such sites that would constitute a violation of the personnel policies of the Borough if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee of the words, phrases, photographs, images or information adversely reflect on the employee's fitness for duty or constitutes a violation of the personnel policies of the Borough. Moreover, employees should not use these systems for soliciting or proselytizing others for commercial ventures, religious or personal causes, outside organizations or other similar, non-job-related solicitations.

d. Forbidden Content of E-Mail, Voicemail, Internet and Computer Network Systems Communications

Employees may not sue the e-mail, voicemail, Internet computer network systems, or Township issued Cell Phone or any other township issued electronic device in any way that may be seen as insulting, defamatory, obscene, harassing, disruptive or offensive by other persons or as harmful to morale. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived sex, sexual orientation, gender, gender identity, transgender, race color, national origin, citizenship status, ancestry, age, marital status, medical condition, mental or physical disability, veteran status, religious or political beliefs, or any other characteristic protected by federal, state, or local law, ordinance or regulation.

Violations of the Borough's policy of the use of e-mail, voicemail, Internet, complete network systems and Township Issued Cell Phone or any other township issued electronic device will subject the employee to discipline, up to and including immediate termination.

e. Unauthorized Access

Employees are prohibited from the unauthorized use of the password(s) of other employees to gain access to another employee's messages in the e-mail, voicemail, Internet or computer network systems including but not limited to all secured access software that employees may have access to.

3. Access to Personnel Records

The policy language is amended to read as follows:

The official personnel file for each employee will be maintained by the

Borough Clerk. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Borough premises in the presence of the Personnel Committee or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

Personnel files do not contain confidential employee medical information. Any such information that the Borough may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Borough endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough will release information contained in personnel or medical records to persons outside the Borough. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Borough's compliance with applicable law;
- To the Borough's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;
- To an authorized health care provider;
- To first aid or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of your employment as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

4. Flexibility Spending Account.

A new heading has been added and is as follows:

The Borough offers all permanent employees, full and part-time, the option to participate in its Flexible Spending Account. This plan is organized under Section 125 of the Internal Revenue Code, and is administered through AFLAC. Employees may make tax deferred contributions through payroll deductions, up to a maximum of \$2,500 annually for qualified, un-reimbursed medical or dependent care expenses. Amount deferred under this plan are not included in an employee's income for Federal Income Tax Purposes. For further information and enrollment information, contact the Chief Financial Officer

BE IT FURTHER RESOLVED that the same revisions are to be made and incorporated in the Employee Handbook.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all the Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that the Manual and Handbook are intended to provide guidelines covering public service by Borough Employees and is not a contract.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Personnel Committee and all managerial/supervisory personnel are responsible for these employment practices. The Borough Clerk shall assist the Personnel Committee in the implementation of the policies and procedures in this manual.

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

**RESOLUTION 2012-41
BOROUGH OF FOLSOM**

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, the Borough of Folsom is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each member shall appoint one (1) Fund commissioner to the Fund. Each Fund commissioner shall be either a member of the local unit's governing body or one of its employees and that no individual may serve as Fund commissioner for more than one (1) member; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of

his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is an employee of the appointing member shall hold office at the pleasure of the member and can be removed by the member at any time without cause; and

WHEREAS the Borough of Folsom recommends the appointment of Greg Schenker to serve as Fund Commissioner in accordance with the FUND Bylaws;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Folsom that it does hereby appoint Greg Schenker as Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

RESOLUTION 2012-42 BOROUGH OF FOLSOM

RESOLUTION APPOINTING ALTERNATE FUND COMMISSIONER

WHEREAS, the Borough of Folsom is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each Member shall be permitted to appoint an Alternate Fund Commissioner to the Fund. The Alternate Fund Commissioner shall be either a member of the local unit's governing body or one of its employees and shall represent the Member in the absence of the Fund Commissioner; and

WHEREAS N.J.A.C. 11:15-2.6 states that an Alternate Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS N.J.A.C. 11:15-2.6 states that an Alternate Fund Commissioner who is an employee of the appointing Member shall hold office at the pleasure of the Member and can be removed by the Member at any time without cause; and

WHEREAS, the Borough of Folsom recommends the appointment of Patricia M. Gatto to serve as Alternate Fund Commissioner in accordance with the FUND Bylaws;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Folsom that it does hereby appoint Patricia M. Gatto as Alternate Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

RESOLUTION 2012-43

BOROUGH OF FOLSOM

RESOLUTION APPOINTING CLAIMS COORDINATOR

WHEREAS, the BOROUGH of FOLSOM is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Claims Coordinator to coordinate and oversee the Member claims reporting and recordkeeping efforts, and act as a liaison between the municipality, the JIF Claims Administrator, and other outside agencies.

WHEREAS, the BOROUGH OF FOLSOM recommends the appointment of PATRICIA M. GATTO to serve as Claims Coordinator in accordance with the FUND requirements;

NOW, THEREFORE, BE IT RESOLVED by the BOROUGH OF FOLSOM that it does hereby appoint PATRICIA M. GATTO as Municipal Claims Coordinator.

RESOLUTION 2012-44

BOROUGH OF FOLSOM

RESOLUTION APPOINTING SAFETY COORDINATOR

WHEREAS, the BOROUGH OF FOLSOM is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Safety Coordinator to chair the Member Safety Committee, coordinate and oversee the

Member safety efforts, and act as a liaison between the municipality, the JIF Safety Director, and other outside agencies.

WHEREAS, the BOROUGH OF FOLSOM recommends the appointment of PATRICIA M. GATTO to serve as Safety Coordinator in accordance with the FUND requirements;

NOW, THEREFORE, BE IT RESOLVED by the BOROUGH OF FOLSOM that it does hereby appoint PATRICIA M. GATTO as Municipal Safety Coordinator.

BOROUGH OF FOLSOM

RESOLUTION 2012-45

A RESOLUTION SUPPORTING THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVE EMPLOYMENT INITIATIVE PROGRAM

Whereas, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “ ... this generation of heroes has made the United States safer and more respected around the world.”; and

Whereas, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

Whereas, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

Whereas, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

Whereas, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

Whereas, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

Whereas, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

Whereas, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

Whereas, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

Whereas, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

Whereas, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

Whereas, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

Whereas, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

Whereas, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up; now therefore be it

Resolved, on this May 9, 2012 that Mayor and Council of Borough of Folsom recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

Be It Further Resolved, that in gratitude, Borough of Folsom pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

Be It Further Resolved, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

**RESOLUTION 2012-46
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 2011-2012;

0110-33-006-003	Chalmers Enterprises, Inc. T/A Rest A While Bar & Grill 1022 Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2011-2012 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 May 9, 2012

RESOLUTION #2012-47

**BOROUGH OF FOLSOM
STATE OF NEW JERSEY
COUNTY OF ATLANTIC**

RESOLUTION APPROVING THE SALE OF BOROUGH OWNED LAND

WHEREAS, pursuant to Ordinance 03-2012 being entitled an Ordinance of the Borough of

Folsom authorizing the sale of Borough Owned Land-Undersized Lots a public sale of certain land was held on April 18, 2012 pursuant to N.J.S.A. 40A:12-13.2; and

WHEREAS, said sale was duly advertised pursuant to law; and

WHEREAS, bids were received by the Borough Clerk at such sale for the minimum prices established in Ordinance 03-2012 for those lots set forth on attached Schedule A; and

WHEREAS, pursuant to Ordinance 03-2012 all such sales are subject to final approval by the Borough Council and the Borough Council reserved to itself the right to remove any property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser.

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

1. Each of the sales set forth on attached Schedule A is approved and the Borough Clerk, the Mayor and the Borough attorney are authorized to prepare and execute the required deeds and other documents in order to carry out these transactions.
2. Although bids were received on certain properties, upon request of the successful bidders, such properties shall be removed from the sale list and the transactions terminated. These properties are set forth in Schedule B. The deposits paid by each successful bidder will be refunded.

A motion to approve Resolutions 2012-40 through 2012-47 was made by Councilman Esposito and seconded by Councilman Kemmerer

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: Mr. Fitzgerald suggested that Council should have a second land sale and reevaluate the prices of the undersized lots for next sale.

FIRE CHIEF'S REPORT: Councilman Esposito read the Monthly report for Chief Donnelly who was available for the Workshop meeting but could not attend the Council Meeting.

ENGINEER'S REPORT: Vince Polistina attended Workshop meeting to give his report but had to leave to do a site inspection in Folsom.

MAYOR'S REPORT: Mayor Ballistreri noted that the New Jersey League of Municipalities and the Atlantic County Mayors Association are fully committed to reject the new revisions that one of our State Senators has brought forward to add to the OPRA requests.

COUNCIL MEMBER'S REPORTS:

Councilman Ron Esposito: thanked SSGT Jason Kertz. "Welcome to Folsom" sign has been moved back and landscaping will be next week followed by irrigation and lighting.

Councilman Matt Olive: Parks & Rec have begun their monthly meetings. They have been receiving good feedback from field use. Councilman Olive gave a brief description of the Homecoming of SSGT Jason Kertz.

Councilman Gary Kemmerer: thanked SSGT Jason Kertz and wished everyone a nice Memorial Day.

Councilman Greg Schenker: No report (absent)

Councilman Butch Gazzara: thanked SSGT Jason Kertz, USMC. Butch also reminded everyone what Memorial Day is all about.

Councilman George Eckhardt: commented on how good our road conditions are thanks to our Public Works Department along with Councilman Olive and Councilman Kemmerer. George also noted that he received a letter from a company regarding Solar Energy who will be at our next Council Meeting to give a presentation.

Public Comment on the Council Members Reports:

Byron Gummoe asked Councilman Eckhardt about Solar Energy for the Borough.

Mayor Ballistreri reminded everyone to vote on June 5, 2012.

PAYMENT OF BILLS IN THE AMOUNT OF \$390,989.56

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

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, June 13, 2012 starting with a 1 hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:30 pm in Borough Hall, 1700 12th Street, Folsom, NJ

Meeting Adjourned at 8:55 PM

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk