

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
November 14, 2012**

MEETING CALLED TO ORDER: 7:00 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, Ferry, Gazzara, Schenker and Olive

Absent: Councilman Kemmerer and Councilman Esposito

Also present: Attorney Mike Fitzgerald, Engineer Gary Auer

APPROVAL OF WORKSHOP MINUTES FROM October 10, 2012

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

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

APPROVAL OF THE MINUTES FROM October 10, 2012

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

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

Mr. James Pote (9 Cains Mill Road) from the Lakes Community Outreach Committee was present this evening to ask Mayor and Council to consider a Bus Stop/Bus Shelter on Rt. 322 and Cains Mill Road.

MEETING OPEN TO PUBLIC:

Girl Scout Troop 30168 came in this evening to announce their Annual Folsom Holiday Decorating contest.

Byron Gummoe (125 E. Park Avenue) asked why there was no workshop meeting prior to the Council Meeting. Mr. Gummoe also questioned the voting procedure for the adoption of Ordinance# 08-2012. Mayor Ballistreri responded that he should not have voted for the final adoption and therefore the second and final reading for Ordinance#08-2012 will be voted on at our December 14, 2012 regular council meeting.

Town Solicitor Mike Fitzgerald explained the voting procedures for Bond Ordinances.

There was inaudible question from a resident.

Mr. Gummoe asked if anyone on Council questioned if the voting procedure at the Special Meeting was going to conform to the bond ordinance law.

Councilman Matt Olive stated that procedure would have been followed however since his mother's health took a turn for the worst he could not attend the meeting at the last minute.

Mr. Gummoe questioned why equipment purchases were not spread out over time.

Councilman Butch Gazzara responded that they have staggered equipment purchases through the years and went on to explain the steps that Mayor and Council took with regards to purchasing equipment.

Mr. Gummoe asked Mayor and Council how long the bond was for. Mayor Ballistreri responded ten (10) years.

Mr. Gummoe questioned why Mayor and Council are spending the money for playground equipment since there are not many children in the neighborhood. He expressed concern for vandalism. Another discussion ensued over dog littering.

Kyle Smith-(17 Fenimore Drive) thanked everyone from the Borough of Folsom that came out and voted. Kyle stated that he would like to work with Greg on a dog park. Kyle asked Mr. Fitzgerald as to why he did not inform the County Committee that Councilman George Eckhardt resigned from Council leaving a vacancy. Mr. Fitzgerald responded that it was not his responsibility to inform the County Committee. A discussion ensued over the procedures for informing the County Committee of a Council vacancy.

Mimi Veneziani (President of Folsom School Board of Education) wondered why there was nothing listed on the Clerk's Correspondence with regards to a letter addressed to Mayor and Council from the Folsom Board of Education. Mayor Ballistreri suggested that Ms. Veneziani read the letter. A long discussion ensued over Shared Services between the school and Borough. Mr. Fitzgerald suggested that he could draw some type of amicable agreement up between the two (2) entities.

There were inaudible questions and discussions from residents.

Larry Smith (121 Fenimore Drive) felt that Dr. Brown's request for proof of the Governor's Executive Order was needed as she was taking over for Mr. Garguilo. Mr. Smith also stated that he felt a Share Services Agreement was not needed and that the Town should just keep providing the services like it has been for the school. Mr. Smith asked why an agreement is needed because it would cost the taxpayers for the attorney to draw it up. Mr. Fitzgerald stated that he does not charge the Borough for this. Mr. Fitzgerald also stated that a formal agreement is needed for liability purposes. Mr. Smith questioned why the Bond Ordinance was passed so quickly. Mr. Smith also stated that the roads in Folsom are deteriorating and the Mayor and Council should keep this in mind for the future.

Ben Pagano (2201 14th Street) thanked Mayor and Council for being a wonderful body for many years. Mr. Pagano suggested that since the voice of the people of Folsom has been heard with their votes that maybe Council should fill Mr. Eckhardt's seat with the new elect that received the most votes.

MEETING CLOSED TO PUBLIC:

CLERK'S CORRESPONDENCE: Ms. Gatto reminded residents that Borough Hall Offices will be closed November 22, 2012 and November 23, 2012 in observance of Thanksgiving.

The Annual Christmas Tree Lighting will be December 6, 2012 at 7:00PM at Borough Hall.

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 2012-67
BOROUGH OF FOLSOM**

**A RESOLUTION GRANTING A RAFFLE LICENSE TO FOLSOM EDUCATIONAL
FOUNDATION TO BENEFIT THE SCHOOL**

WHEREAS, the Folsom Educational Foundation has applied for a license to conduct an on premise raffle and 50/50 to be held on January 26, 2013

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Folsom, that

1. The following facts are hereby found and determined:
 - a) The Applicant is qualified.
 - b) The members designed to conduct the games are active members.
 - c) The members designated to conduct the games are of good moral character and have never been convicted of a crime.
 - d) The raffle will be conducted according to the Raffle Licensing Law and the Rules of Legalized Games of Chance Control Commission.
 - e) The entire proceeds are to be disposed of for a purpose permitted by the Raffles Licensing Law.
 - f) There is satisfactory proof that no payment will be made for conducting the raffle or assisting therein except to the extent allowed by the law.
 - g) There is satisfactory proof that the prizes are of the nature and amount allowed by the Raffles Licensing Law.
 - h) The rental to be paid for equipment does conform to the schedule of authorized rental prescribed by the Rules of the Control Commission.

2. The Council is hereby authorized and directed to execute and deliver the proper certificates of the aforesaid Findings and Determinations in the Form prescribed and specified by the Legalized Games of Chance Control Commission.

**BOROUGH OF FOLSOM
RESOLUTION 2012-68**

RESCIND THE LIQUOR LICENSE RENEWAL

WHEREAS, By the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the applicant listed below for renewal of the liquor license for the 2011-2013 term for:

**Tim Buck 2 LLC
0110-33-002-009**

renewal of Plenary Retail Consumption and Distribution License in the Borough of Folsom, County of Atlantic, be and the same is hereby rescinded due to non-renewal of license.

BE IT FURTHER RESOLVED, that the Borough Clerk has no authorization to issue said license for the 2012-2013 term.

**BOROUGH OF FOLSOM
RESOLUTION 2012-69
2012 SHADE TREE GRANT APPLICATION**

The governing body of Borough of Folsom desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

2013 Green
Communities Grant
Community Forestry
Management Plan

Therefore, the governing body resolves that Tom Ballistreri or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute **D** any amendments thereto **[g]** any amendments thereto which do not increase the Grantee's obligations.

*The authorizes Borough of Folsom and hereby agrees to match 3000 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement). *

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

A motion to approve Resolutions 2012-67 through 2012-69 was made by Councilman Gazzara and seconded by Councilman Schenker.

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: No report.

FIRE CHIEF'S REPORT: Councilman Matt Olive read report for Chief Donnelly who could not attend meeting. October was a busy month with various prevention programs, the Fire Department went to both Folsom and Collings Lakes elementary schools and provided information and education programs to the students. The annual 16th Open House was held on Friday, October 5, 2012 and was successful. With the holidays fast approaching the Fire Department wanted to remind residents to be extra careful around their homes when using extension cords and burning candles. Finally, just a reminder that Santa Claus will be coming to town hall December 6, 2012 and will be coming through town on the fire truck Saturday, December 22, 2012 starting around 4:30PM.

ENGINEER'S REPORT: Gary Auer from Vince Polistina Associates, LLC updated Mayor, Council and residents on the following issues:

FY13 State Aid Project-8th & 14th Street-The applications for state aid for this project have been submitted to the NJDOT for consideration for funding.

Safeway Streets to Transit/Bikeway Grants-The applications for funding for the pedestrian /bicycle path along Mays Landing Road that would connect the Folsom Municipal Building/Folsom School/12th Street recreation area have been submitted to the NJDOT.

13th Street Parking Lot-We have re-submitted the plans and stormwater report to the Pinelands Commission for this project. Should receive a response within the next month.

Public Works Building-Applications, Plans and stormwater management calculations have been submitted to the Pinelands Commission for approval of a new storage building at the Public Works Facility. We should receive a response next month.

American Galvanizing-The developer has completed the majority of the work associated with the paving of Fifth Road adjacent to the existing American Galvanizing facility.

IBEW-The developer has completed the clearing and rough grading for the site. They are continuing with the site improvements for the project.

MAYOR'S REPORT: No report

COUNCIL MEMBER'S REPORTS:

Councilman Ron Esposito no report

Councilman Matt Olive wished everyone a Healthy and Happy Holiday

Councilman Gary Kemmerer no report

Councilman Butch Gazzara thanked the Girl Scouts for coming in. Councilman Gazzara wished everyone a Happy Thanksgiving.

Councilman Greg Schenker: Congratulated Kyle and Byron on the Election and thanked everyone who came out and voted. Councilman Schenker thanked Mr. James Pote for coming in this evening and discussing the Bus Shelter. Councilman Schenker suggested that everyone should try and work together for the best of the Borough of Folsom. Greg also wished everyone a Happy Thanksgiving.

Councilwoman Deborah Ferry no report

Public Comment on the Council Members Reports:

Kyle Smith (17 Fenimore Drive) suggested that Mayor and Council should have an itemized list of what is being purchased with the Bond at the next meeting. Mayor Ballistreri responded that it was present at the last meeting.

Kathy McGee (210 E. Collings Drive) asked if Mayor and Council set a date yet for the discussion of the closing of the Firehouse.

Lou DeStefano(21 Pinewood Drive) stated that he agrees with a lot of what Councilman Schenker said. Mr. DeStefano suggested he would also like everyone to get along however he feels the problem is with the Mayor. A discussion ensued. The Mayor suggested that the problem was a personal issued between him and Mr. DeStefano. Mr. DeStefano stated that the problem was not personal and it started when he resigned from the Planning/Zoning Board. Mr. DeStefano stated that the reason he resigned was he did not like the way Mayor Ballistreri handled a certain situation. A long discussion ensued.

There were inaudible questions and discussions from residents.

Councilman Gazzara suggested that everyone put their opinions aside and try to work together in the future.

Councilman Schenker explained his reasoning for voting to close the Firehouse.

PAYMENT OF BILLS IN THE AMOUNT OF \$53,335.47

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

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

Mayor Ballistreri reminded the public that all other monthly reports are on file in the minute book.

The next regular council meeting of Mayor and Council will be held on Wednesday, December 12, 2012 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 9:03 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk