

**BOROUGH OF FOLSOM  
COUNCIL MEETING  
MINUTES  
November 17, 2016**

**MEETING CALLED TO ORDER: 7:15 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.

Judge Frank Raso administered the Oath of Office to Greg Schenker

**ROLL CALL:** Councilpersons: Smith, Jantz, Pagano, Arena, Veneziani and Schenker

**Also present:** Mayor Lou DeStefano, Attorney Kris Facenda, and Engineer Gary Auer

**APPROVAL OF THE WORKSHOP MINUTES FROM October 12, 2016**

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

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

**APPROVAL OF THE MINUTES October 12, 2016**

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

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

**APPROVAL OF THE EXECUTIVE SESSION MINUTES October 12, 2016**

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

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

**MEETING OPEN TO PUBLIC:**

**Carole Schreffler (27 Park Avenue)** read a statement to Mayor and Council in which she voiced her displeasure over the way Mayor and Council has handled recent Borough events. Ms. Schreffler reminded Council that it is their duty to serve as well as protect our future. Ms. Schreffler stated that she prays that Council will consider her words.

**CLERK'S CORRESPONDENCE:**

Borough Hall Offices will be closed November 24<sup>th</sup> and 25<sup>th</sup> in observance of Thanksgiving.

Last E-Waste Day for the year is scheduled for December 10, 2016 from 8:00AM to 1:00PM at Borough Hall Garage.

The Annual Christmas Tree Lighting will be held on December 8, 2016 at 7:00PM

**RESOLUTIONS:**

**RESOLUTION 2016-102  
BOROUGH OF FOLSOM**

**A RESOLUTION SETTING FORTH A POLICY FOR THE TAX ASSESSOR TO NOTIFY THE  
CFO AND BOROUGH OF FOLSOM OF FILED TAX APPEALS**

**WHEREAS;** the Borough of Folsom wishes to set forth a policy whereby the Tax Assessor will notify the Chief Financial Officer (CFO) and the Borough of Folsom of all tax appeals once all appeals have been filed and entered with the Atlantic County Board of Taxation; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Borough of Folsom Mayor and Council certifies that it met, discussed, and established a policy that the Municipality's Tax Assessor will deliver the list of tax appeals from the Atlantic County Board of Taxation to the Chief Financial Officer and the Governing Body within three (3) days of receiving the list, but no later than June 1<sup>st</sup> of each year. Municipalities where a revaluation/reassessment has taken place, the list of tax appeals can be reported when the information becomes available.

A motion to approve Resolution #2016-102 was made by Councilman Smith and seconded by Councilwoman Veneziani

There was a roll call vote with ayes all.

**RESOLUTION 2016-104  
BOROUGH OF FOLSOM**

**A RESOLUTION RE-APPOINTING A MUNICIPAL CLERK**

**WHEREAS** the (3) three year term of the appointed Municipal Clerk is expiring on December 11, 2016 and

**WHEREAS** Patricia M. Gatto is certified by the State of New Jersey as a Registered Municipal Clerk.

**WHEREAS** N.J.S.A.40A: 9-133.1 states that this is a statutory position in the State of New Jersey,

and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that Patricia M. Gatto be hereby appointed Municipal Clerk for a three (3) year term effective December 12, 2016

A motion to approve Resolution #2016-104 was made by Council President Pagano and seconded by Councilman Smith.

There was a roll call vote with ayes all.

**RESOLUTION 2016-103**

**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 Patricia M. Gatto 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 Patricia M. Gatto Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

A motion to approve Resolution #2016-103 was made by Council President Pagano and seconded by Councilman Jantz.

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM  
RESOLUTION 2016-105**

**RESOLUTION APPROVING THE SALE OF  
BOROUGH OWNED LAND**

**WHEREAS**, pursuant to Resolution 2016-92 being entitled a Resolution of the Borough of Folsom Authorizing the Sale of Borough Owned Land a public sale of certain land was held on October 13, 2016 pursuant to N.J.S.A. 40A:12-13(a); and

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

**WHEREAS**, bids were received by the municipal clerk at such sale for the minimum price established in Resolution 2016-92 for the property identified as Block 1801 Lot 18 and Block 1701 Lot 18 and

**WHEREAS**, pursuant to Resolution 2016-92 all such sales are subject to final approval by the Borough council and Borough council reserved to itself the right to remove any property from such 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, County of Atlantic, State of New Jersey that sale of the property identified as Block 1801 Lot 18, to Robert Capoferri, PO Box 500, Hammonton, NJ 08037 in the amount of \$15,000.00 and Block 1701 Lot 18 to John Iulianetti, 3212 Reading Avenue, Hammonton, NJ 08037 in the amount of \$10,000.00 is hereby approved and the Borough Clerk, the Mayor and the Borough attorney are authorized to prepare and execute the required Deed and other documents in order to carry out such transaction.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect following adoption and approval in the time and manner prescribed by law.

A motion to approve Resolution #2016-105 was made by Council President Pagano and seconded by Councilman Jantz.

There was a roll call vote with ayes all.

**RESOLUTION 2016-107  
BOROUGH OF FOLSOM**

**RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CDBG ADA IMPROVEMENTS  
PENNY POT PARK, ATLANTIC COUNTY IMPROVEMENTS AUTHORITY FUNDING-  
CONTRACT NO. 20**

**WHEREAS**, the Borough of Folsom in accordance with the Local Public Contracts Law, N.J.S.A. 40a:1-1 et seq, previously awarded and entered into a contract for the CDBG ADA Improvements Penny Pot Park - Contract No. 20, a Community Development Block Grant Project from the Atlantic County Improvements Authority with Kline Construction Company for the ADA Improvements at Penny Pot Park in the Borough of Folsom; and

**WHEREAS**, it has subsequently been determined by the Borough that it will be in the best interests of the Borough and the CDBG ADA Improvements Penny Pot Park project that the scope of the

project be expanded to include the removal of three (3) additional trees and that such change order is allowed under N.J.A.C. 5:30-11.3; and

**WHEREAS**, the inclusion of the additional tree removal in the project does not substantially change the quality or character of the work to be provided by the Contractor; and

**WHEREAS**, the net increase in the Contract is \$1,394.42 and the execution of a change order will not cause the originally awarded contract price to be exceeded by more than twenty percent (20%); and

**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:

A change order is approved for the CDBG ADA Improvements Penny Pot Park project to include the removal of three (3) additional trees at a net increase of \$1,394.42 and for a resulting total Contract amount of \$45,394.41; and

The Mayor and Borough Clerk are hereby authorized to enter into and execute on behalf of the Borough and amendatory contract covering the approved changed order, such amendatory contract to be in a form satisfactory to the Borough Attorney.

A motion to approve Resolution #2016-107 was made by Councilman Arena and seconded by Councilwoman Veneziani.

There was a roll call vote with ayes all.

**Borough of Folsom  
RESOLUTION #2016-108**

**MUNICIPAL ALLIANCE GRANT APPLICATION Form 1B**

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 1, 2017 – June 30, 2018

**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 2018 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.

A motion to approve Resolution #2016-108 was made by Councilman Arena and seconded by Councilwoman Veneziani.

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM  
RESOLUTION #2016-109**

**DEER CARCASS REMOVAL SERVICES CONTRACT**

**WHEREAS**, the Atlantic County Director of Budget & Purchasing received bids on September 13<sup>th</sup>, 2016 for deer carcass removal services for Atlantic County and its participating cooperative members (Bid #201641.1); and

**WHEREAS**, **Deer Carcass Removal Services, LLC** was the apparent low bidder at a cost of \$45.00 per pickup; and

**WHEREAS**, the Atlantic County Freeholders have awarded this contract to Deer Carcass Removal Services, LLC; and

**WHEREAS**, participating members of the Cooperative must notify Deer Carcass Removal Services of their intent to participate in the Cooperative Contract;

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Folsom that a contract for deer carcass removal services is awarded to Deer Carcass Removal Services, LLC, 140 Meirs Road, PO Box 328, Cream Ridge, NJ 08514 at a price of \$45.00 per pickup. The terms of the contract will parallel those adopted by the Atlantic County Freeholders. The term of the contract shall be for a two year period commencing October 1, 2016 through September 30, 2018, both dates inclusive.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall forward a certified copy of this resolution to Deer Carcass Removal Services, LLC, and that the Township Clerk and Chief Financial Officer are hereby authorized to execute and sign any necessary agreements with Deer Carcass Removal Services, LLC

A motion to approve Resolution #2016-109 was made by Council President Pagano and seconded by Councilman Smith.

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM**

**RESOLUTION NO. 110**

**A RESOLUTION SUPPORTING SENATE BILL 2663 and ASSEMBLY BILL 4234**

**Whereas**, almost all local units of government and Boards of Education in New Jersey including (Borough of Folsom) secure insurance through governmental entities known as joint insurance funds (hereinafter JIFs); and

**Whereas**, existing law limits JIFs to investments otherwise authorized for local governmental entities and Boards of Education; and

**Whereas**, insurance mechanisms such as JIFs have different cash flow needs than local government and Boards of Education; and

**Whereas**, existing law greatly limits the potential investment earnings, currently less than 1% on investments of approximately \$1 billion; and

**Whereas**, S-2663 and A-4234 would permit JIFs to invest in debt obligations of any governmental entity established under the laws of the State of New Jersey and federal agencies or governmental corporations; and

**Whereas**, while the range of investments permitted by S-2663 and A-4234 is still very conservative, it would save the taxpayers at least \$10 million per year; and

**Whereas**, S-2663 and A-4234 would also reduce interest expense for local units of government and Boards of Education by creating an additional purchaser of their bonds; and

**Whereas**, S-2663 and A-4234 would also permit JIFs to join together and create a joint investment and cash management program further increasing investment income.

**NOW THEREFORE BE IT RESOLVED** by the (Borough of Folsom) that:

1. The Legislature is urged to adopt S-2663 and A-4234 and;
2. A copy of this resolution shall be sent to all area legislators as well as the Governor, Commissioner of the Department of Banking and Insurance and the Commissioner of the (Department of Community Affairs or Department of Education as appropriate).

A motion to approve Resolution #2016-110 was made by Councilman Arena and seconded by Councilman Schenker

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM**  
**Resolution# 2016-111**

**RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE 2015  
LOCAL MUNICIPAL BUDGET PER N.J.S.A. 40A: 4-58**

**WHEREAS**, N.J.S.A. 40A:4-58 provides that appropriation transfers may be made during the last two months of the year;

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Folsom, County of Atlantic, State of New Jersey that the following transfers be made:

<u>Account Description</u>	<u>Account Number</u>	<u>From</u>	<u>To</u>
Clerk - Other Expenses	01-20-120-020	4,000.00	
Finance - Other Expenses	01-20-130-020	1,000.00	
Audit - Other Expenses	01-20-135-020	400.00	
Legal Services & Costs - Other Expenses	01-20-155-020		12,000.00
Engineering Services - Other Expenses	01-20-165-020	2,000.00	
Planning Board - Other Expenses	01-20-180-020	2,000.00	
Construction Official - Salaries & Wages	01-22-195011		500.00
Construction Official - Other Expenses	01-22-195-020	500.00	
General Liability Insurance	01-23-210-094		20,000.00
Employee Health Insurance	01-23-220-092		2,000.00
Health Benefits Waiver	01-23-221-000	500.00	
Public Works - Salaries & Wages	01-26-290-010	5,000.00	
Public Works - Other Expenses	01-26-290-020	3,000.00	
Public Buildings & Grounds - Other Expenses	01-26-310-020	9,000.00	
Parks & Recreation - Other Expenses	01-28-370-020	4,000.00	
Petroleum Products	01-31-447-000	2,000.00	
Social Security	01-32-472-000	1,100.00	
		<b>34,500.00</b>	<b>34,500.00</b>
<b>TOTAL</b>			

A motion to approve Resolution #2016-111 was made by Councilman Arena and seconded by Councilman Smith.

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



**RESOLUTION 2016-112  
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING A REFUND AND CANCEL OF PROPERTY TAXES**

**WHEREAS**, it has come to the attention of Mayor and Council that Robert Devers, Block 2705 Lot 739, owner has been declared to be 100% permanently and totally disabled due to a wartime service-connected disability and as such is exempt from paying property taxes;

**WHEREAS**, the 2016 taxes in the amount of \$3,314.48 shall be canceled and;

**WHEREAS**, the 2016 taxes that were paid in the amount of \$1,671.81, this amount shall be refunded to Robert Devers.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey that the 2016 taxes are cancelled and the first half 2016 taxes in the amount of \$1,671.81 be refunded.

A motion to approve Resolution #2016-112 was made by Councilwoman Veneziani and seconded by Council President Pagano

There was a roll call vote with ayes all.

**RESOLUTION 2016-113  
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 possible litigation involving Collings Lakes Food Market, Inc.
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 #2016-113 was made by Councilwoman Veneziani and seconded by Councilman Jantz.

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

**FIRE CHIEF REPORT: Councilman Smith read report.**

There were two calls for the month. Councilman also stated that he has raffle tickets to sell for the Fire Company.

**ENGINEER'S REPORT:**

**2014 Community Development Block Grant Funding - ADA Access Project**

The Borough received the full reimbursement payment earlier this month.

**ADA Improvements - Penny Pot Park**

The final payment request from Kline Construction was submitted by our office. A change order in the amount of \$1,394.42 was included in the final billing. The additional work covered the removal of several dead trees at the request of the Borough Public Works Superintendent.

**FY16 State Aid Project - 14th Street**

Our office has completed the necessary survey work and has begun preparing the design plans and specifications. Once completed we are required to forward the documents to the NJDOT for an overview and approval of the work. We anticipate receiving bids for the project in early December and recommending award at the December meeting.

**FY15 State Aid Project - 8th Street**

We met with the contractor, Arawak Paving, last month to resolve the transition from the newly paved roadway to the existing bridge. Part of the issue is due to the low point within the bridge span. It has been determined that the County will be rehabilitating the bridge in 2017 and will address the transition at that time. Arawak has been directed to place advance warning signs approximately 500 feet prior to the bridge from each direction. We anticipate the signage being in place by the end of the month.

**SOLICITOR'S REPORT: NONE**

**MAYOR'S REPORT:** Mayor DeStefano asked for a moment of silence for Lauren Pitale daughter of Charlie (Chairman of Planning/Zoning) and Liz Pitale. Mayor DeStefano wished everyone a Happy and Safe Thanksgiving. Mayor thanked Lisa O'Toole for stepping in and welcomed Councilman Schenker.

**COUNCIL MEMBER'S REPORTS:**

**Councilman Kyle Smith:** no report

**Councilman Kyle Jantz:** welcomed Greg aboard. Councilman Jantz reported only one street light out. Councilman Jantz asked residents to go to our website to report any street lights that are out.

**Council President Pagano:** reported that he attended the League of Municipalities meeting last month. They discussed the Gateway project in Atlantic City. The league is very optimistic with this project. Council President Pagano thanked everyone for coming out to vote. Council President congratulated Greg Schenker and Jim Hoffman. Ben thanked everyone who voted for him and stated he will do his best for the town. Ben especially thanked his wife Peggy. Ben stated he looks forward to working with Council and wished everyone a Happy Thanksgiving.

**Councilwoman Veneziani:** No report just wanted to wish everyone a Happy Thanksgiving.

**Councilman Charlie Arena:** no report

**Councilman Schenker:** thanked Council for their welcome and for everyone who voted for him. With regards to Ms. Schreffler, Councilman Schenker stated that some of the blame is on the previous Solicitor with the legal advice he gave Council. Greg stated that he understands that a public worker has resigned and Greg suggested the Personnel Committee look into part-time laborers to save on the benefits. Councilman Schenker asked Council President Pagano if there was any talk at the League Meeting about cancelling the Gateway project since the state is taking over. Council President Pagano stated that the Gateway Project is safe. Councilman Schenker wished everyone a Happy Thanksgiving.

#### **PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY:**

**NO COMMENTS**

#### **PAYMENT OF BILLS IN THE AMOUNT OF: \$422,144,77 and \$36,653.12**

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

Smith –Y Jantz-Y Pagano-N Arena-Y- Veneziani-Y Schenker-A

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, December 14, 2016 starting with an hour workshop meeting starting at 6:00 pm and continuing with the regular meeting at 7:00 pm in Borough Hall, 1700 12<sup>th</sup> Street, Folsom, NJ

Mayor DeStefano stated that we are going into executive session.

Solicitor Kris Facenda read Open Public Meeting statement.

Council President Pagano recused himself. Kris Facenda stated for the record Councilman Area is recusing himself.

Mayor and Council entered into executive session at 7:45PM.

Kris Facenda read Open Public Meeting Statement that no official action will be taken tonight with regards to Collings Lakes Food Market.

Mayor and Council returned from executive session at 8:48PM

With no other discussion the meeting was adjourned at 8:49 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto  
Municipal Clerk