

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
October 8, 2014**

MEETING CALLED TO ORDER: 7:42PM

SALUTE TO THE FLAG LED BY Mayor Lou 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, Gazzara, Pagano, Kemmerer, Veneziani and Gummoe

Also present: Mayor Lou DeStefano, Solicitor Fran Ballak, and Engineer Gary Auer

APPROVAL OF THE WORKSHOP MINUTES September 10, 2014

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

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

APPROVAL OF THE MINUTES FROM September 10, 2014

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

There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC:

Mr. Chris Veneziani from Folsom School was present this evening to read a letter of Appreciation to John LaPollo, Superintendent of Public Works for his help and support to the school on August 25, 2014.

MEETING CLOSED TO PUBLIC

CLERK'S CORRESPONDENCE: Ms. Gatto reminded residents that Borough Hall will be closed the following days: October 13, 2014 in observance of Columbus Day, November 4, 2014 for Election Day and November 11, 2014 in observance of Veterans' Day.

Halloween Trick or Treat hours will be October 31, 2014 from 6:00PM to 8:00PM

A reminder to vote on Tuesday, November 4, 2014. Polls open from 6:00AM until 8:00PM

ORDINANCES:

**BOROUGH OF FOLSOM
ORDINANCE NO. 07-2014**

**AN ORDINANCE OF THE BOROUGH OF FOLSOM, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 151
ENTITLED “PROPERTY MAINTENANCE” OF THE CODE OF THE
BOROUGH OF FOLSOM**

WHEREAS, the Township council of the Borough of Folsom (“Folsom”) has reviewed recent amendments to Titles 2A, 40 and 46 of the New Jersey Statutes regarding vacant and abandoned property and responsibilities of foreclosing creditors; and

WHEREAS, as a result of such legislations, certain amendments to the Code of the Borough of Folsom are required; and

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the council of the Borough of Folsom that the following provisions of the Code of Borough of Folsom are amended as follows:

SECTION ONE. Chapter 151 is amended by the addition of the following new sections:

§151-17.1 Creditor responsibility.

Pursuant to the provisions of the Public Laws of 2014, Chapter 35, a creditor filing a Summons and Complaint to foreclose a lien on a residential property that is vacant and abandoned, whether the filing of the Summons and Complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the residential property. This obligation applies whether the determination that the property is vacant and abandoned is made by the public officer pursuant to the provisions of this Chapter, Chapter 90 of the Code of the Borough of Folsom, pursuant to the provisions of N.J.S.A. 2A:50-73 or otherwise.

§151-17.2 Notice to Creditor; time to correct violations.

If the public officer, or other authorized municipal official, determines that a Creditor obligated to care, maintain, secure and keep up a vacant and abandoned property has failed to do so in violation of the provisions of this Chapter or Chapter 151 of this Code, the public officer or other authorized municipal official shall issue a notice of violation to the Creditor that has filed a Summons and Complaint to foreclose on the property in questions. The notice shall require the person or entity to correct the violation within thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute evidence that a property is “vacant and abandoned” for purposes of N.J.S.A. 2A:50-73.

§151-17.3 Designated representative of out-of State Creditor; violation.

An out-of-state Creditor shall include the full name and contact information of the in-State representative or agent in the notice required to be provided to the municipal clerk pursuant to paragraph one of N.J.S.A. 46:10B-51. An out-of-State Creditor found by a Court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500.00 for each day of the violation commencing on the day after the 10 day period set forth in paragraph one of N.J.S.A. 46:10b-51 with respect to notifying the municipal clerk that an action to foreclose on the property has been filed.

§151-17.4 Violations and penalties.

A creditor subject to this ordinance found by the municipal court, or by any other court of competent jurisdiction, to be in violation of the requirement to care, maintain, secure or upkeep a property as cited in the notice issued pursuant to the Ordinance shall be subject to a fine of \$1,500.00 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

AND BE IT FURTHER ORDAINED that any prior or existing Ordinances which are inconsistent with the provisions of this Ordinance, are hereby repealed and/or modified to the extent of such inconsistencies;

AND BE IT FURTHER ORDAINED that should any section, part of any section, or clause or phrase of this Ordinance for any reason be held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance;

AND BE IT FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days following final passage and publication as required by law.

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 October 8, 2014 and 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 November 12, at 7:00 P.M.

A motion to approve was made by Councilman Pagano and seconded by Councilman Smith.

There was a roll call vote with ayes all.

RESOLUTIONS:

**RESOLUTION 2014-80
BOROUGH OF FOLSOM**

**A RESOLUTION HIRING A FULL TIME LABORER FOR THE PUBLIC WORKS
DEPARTMENT (Pat Chestnut)**

WHEREAS, there is a need for the hiring of a full time laborer; and

WHEREAS, the position was advertised in the local newspaper, and

WHEREAS, the personnel committee approved the hiring of Patrick Chestnut at a rate of \$12.00 per hour;

WHEREAS, such employment is effective October 8, 2014, pending successful completion of a CDL Class A license within (60) days of hiring. Upon successful completion of the CDL Class A License the hourly rate will be increased to \$14.00 per hour with probationary period of (60) sixty days.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom that Patrick Chestnut is hereby hired as a full time laborer for the Public Works Department.

A motion to approve Resolution 2014-80 was made by Councilman Pagano and seconded by Councilman Kemmerer

There was a roll call vote with ayes all.

Mayor DeStefano welcomed Pat Chestnut aboard.

**BOROUGH OF FOLSOM
RESOLUTION 2014-81**

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE
FOLSOM ELEMENTARY SCHOOL DISTRICT FOR SNOW REMOVAL SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. governs shared service agreements; and

WHEREAS, the Borough of Folsom desires to enter into an agreement with the Folsom Elementary School District for snow removal for the 2014-2015 winter; and

WHEREAS, an agreement has been prepared; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Folsom authorizing appropriate representatives for the Borough of Folsom to enter into and execute the aforesaid agreement on behalf of the Borough of Folsom.

A motion to approve Resolution 2014-81 was made by Councilman Smith and seconded by Councilman Pagano

There was a roll call vote: Smith-Y Gazzara-N Pagano-Y Kemmerer-N Veneziani-Y Gummoe-Y.

SOLICITOR'S REPORT: Solicitor Ballak stated that the tax appeals are still pending because of the long process. The Borough received judgment on the first round of In-Reim Foreclosures.

FIRE CHIEF'S REPORT: Councilman Smith read the report for Chief Donnelly. This report covers the month of July, August and September. There were six (6) calls in July, five (5) calls in August and three (3) calls in September. Chief Donnelly reported that the fire department was the recipient of a federal grant in the amount of \$154,000.00 of which they are responsible to put up 5%. This grant will allow them to replace most of their current air pacs and start replacing protective clothing. Training continues on a weekly basis.

ENGINEER'S REPORT:

FY13 State Aid Project – 14th Street

The County completed the installation of the timber guardrail on the 14th Street Bridge last month. We are finalizing the paperwork to receive the project reimbursement from the NJDOT.

Public Works Building

The garage doors for the new pole barn have been installed and the electrical work has been completed.

There was a scheduling issue between the electrical contractor and contractor for the concrete work, so the concrete work was rescheduled to begin the week of October 20th and should be completed by the end of the month.

2014 Community Development Block Grant Funding

The plan to improve several existing walkways at the 13th Street recreation complex, public works facility and South River Drive Park has been submitted to Atlantic County Improvement Authority. The ACIA has informed our office that the plan won't be approved until late October or early November.

Once the plan has been approved our office will then prepare the documents for public bid.

FY15 State Aid Project - 8th Street

The submission deadline for the Municipal Aid FY 2015 grant is October 14, 2014. In consultation with the Mayor we will be applying for the reconstruction of 8th Street from the end of Phase I up to 3rd Road at the municipal border. The length of the project is approximately 0.92 miles, and we estimate the construction

costs at \$278,000 pending a further look into whether any additional work is required.

A resolution to submit a grant application to the NJDOT for the reconstruction of 8th Street was approved last month.

1916 Route 54 - Steve Schultz

Mr. Schultz attended the August meeting and discussed the effect the Route 54 / 322 project was having on his home. I met with Mr. Schultz last month to review his concerns and how we could help address them. After the meeting I reviewed his issues with the NJDOT Resident Engineer for the project.

IBEW

The majority of the work has been completed and only a few punch list items remain involving the stabilization of the stormwater side slopes.

Laborers Union Hall

The construction of the building addition is continuing.

Mayor DeStefano asked Gary Auer the weight limit on the 8th Street Bridge. Gary stated that it no designated weight limit nor will signs be posted.

MAYOR'S REPORT: Mayor DeStefano invited fellow Councilman to join him in "NO SHAVE NOVEMBER" for cancer awareness and research.

Mayor DeStefano announced that the new rain date for Community Day is October 11, 2014 from 10:00am until 2:00pm.

Mayor informed everyone that the County made a mistake on the 2014 taxes and residents should see a credit on our 2015 tax bill of \$29.82.

Mayor DeStefano appointed Kyle Smith as the Folsom School liaison.

Mayor DeStefano also announced that Folsom is participating in a **Multi-Jurisdictional Hazard Mitigation Plan**. A HMP is a living document that communities use to reduce their vulnerability to hazards. To inform and engage the public and other local and regional stakeholders in the planning process, a hazard mitigation planning website has been developed and can be visited at: www.aclink.org/PDM/.

Mayor DeStefano reported that he attended the Folsom School Safety Meeting with Superintendent John LaPollo at the Folsom School along with the Fire Department.

Mayor DeStefano reminded residents to use caution when driving on Halloween and wished everyone a Happy Halloween.

COUNCIL MEMBER'S REPORTS:

Councilman Kyle Smith: reported that Fire Prevention week was held at the Folsom school for Pre-K to second grade. The kids got to see the equipment, watch a DVD and learn some fire basics. Councilman Smith wished our new PW Laborer, Pat Chestnut the best of luck. Councilman Smith informed residents the Asplundh Tree Company will be working on Mays Landing Road, from RT 54 to 13th St. trimming trees. Kyle wished everyone a Happy Halloween.

Councilman Butch Gazzara: thanked Superintendent John LaPollo for his help with the school. Butch reminded residents to have a safe Halloween. Councilman urged all residents to wash your hands frequently and to please get your flu shots.

Councilman Ben Pagano: announced that Sheriff Balles is holding a "Put the Brakes on Fatality Day" on October 10, 2014. Councilman Pagano also announced that Sheriff Balles is sponsoring a "National Protect your Identity Week" on October 11, 2014. Ben announced that Halloween Trick or Treat hours will be October 31, 2014 from 6:00PM until 8:00PM. Councilman Pagano urged residents to be cautious this time of year with the deer. Councilman Pagano compelled all residents to please vote.

Councilman Gary Kemmerer: No Report

Councilwoman Veneziani: reminded residents to report any street lights that are out. You can go to the Borough's website and find the link to make the report. Mimi wished everyone a safe and happy Halloween.

Councilman Gummoe: No Report

PUBLIC COMMENTS OR QUESTIONS ON COUNCIL MEMBER REPORTS ONLY

Mayor DeStefano announced that Councilman Pagano will be replacing him on the Parks and Rec and Street Lights Committee. Mayor Destefano also announced that resident Ken Jantz will be a member of the Parks Commission.

MEETING OPEN TO PUBLIC:

PAYMENT OF BILLS IN THE AMOUNT OF \$182,024.97

A motion to approve payment was made by Councilman Pagano and seconded by Councilwoman Veneziani.

There was a roll call vote with ayes all.

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.

The next regular meeting of Mayor and Council will be held on Wednesday, November 12, 2014 starting with a half hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

A motion to adjourn was made by Councilman Smith and seconded by Councilman Gazzara

With no other discussion the meeting was adjourned at 8:13 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk